



Professional Qualifications Act 2022

2022 CHAPTER 20

Final provisions

19 Interpretation

(1) In this Act—

“appropriate national authority” has the meaning given by section 16;

“data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act);

“legislation” means primary legislation, subordinate legislation and retained direct EU legislation;

“modify” includes amend, repeal or revoke;

“overseas experience” means experience obtained mainly outside the United Kingdom;

“overseas qualification” means a qualification issued by a body that is based outside the United Kingdom;

“part of the United Kingdom” means England, Wales, Scotland or Northern Ireland;

“primary legislation” means—

- (a) an Act of Parliament,
- (b) an Order in Council made in exercise of Her Majesty’s Prerogative,
- (c) an Act or Measure of Senedd Cymru,
- (d) an Act of the Scottish Parliament, or
- (e) Northern Ireland legislation;

“profession” includes—

- (a) an occupation or trade, and
- (b) any subdivision of, or distinct specialism within, a profession;

“qualification” means any record, issued by a body whose ordinary activities include the issuing of such records, of having attained a particular standard following a course of study or training;

“regulated profession” means a profession that is regulated by law in the United Kingdom or a part of it (see subsection (3));

Status: This is the original version (as it was originally enacted).

“regulator”, in relation to a regulated profession, means a person having functions under legislation that relate to the regulation of the profession in the United Kingdom or, as the case may be, in a part of it in which the profession is regulated by law (see subsection (3));

“specified” means specified in regulations;

“subordinate legislation” means an instrument made under primary legislation or under retained direct EU legislation;

“UK experience” means experience obtained mainly in the United Kingdom;

“UK qualification” means a qualification issued by a body that is based in the United Kingdom.

- (2) In this Act, a reference to entitlement to practise a profession includes a reference to entitlement to—
- (a) undertake activities that comprise the practice of the profession,
 - (b) use a particular title associated with the practice of the profession, or
 - (c) be registered, licensed or similarly authorised, where that is required to undertake such activities or use such a title.
- (3) For the purposes of this Act, a profession is regulated by law in the United Kingdom, or in a part of it, if by reason of legislation—
- (a) individuals are entitled to practise the profession in the United Kingdom, or in that part of it, only if they have certain qualifications or experience, or
 - (b) individuals are entitled to practise the profession in the United Kingdom, or in that part of it, only if—
 - (i) they have certain qualifications or experience, or
 - (ii) they meet an alternative condition or requirement.
- (4) For the purposes of this Act, a body is based—
- (a) where its registered office is,
 - (b) if it does not have a registered office, where its head office is, or
 - (c) if it does not have a registered office or a head office, where its principal place of operation is.

20 Extent

This Act extends to England and Wales, Scotland and Northern Ireland.

21 Commencement

- (1) The following provisions come into force on the day on which this Act is passed—
- (a) sections 1 to 4;
 - (b) section 5(2);
 - (c) section 6;
 - (d) section 8 so far as it confers power to make regulations;
 - (e) section 10 so far as it confers power to make regulations;
 - (f) sections 12 to 20;
 - (g) this section;
 - (h) section 22.

- (2) Subsections (1), (2) and (3) of section 11 come into force at the end of the period of 3 months beginning with the day on which this Act is passed.
- (3) Section 8, so far as not already in force by virtue of subsection (1), comes into force at the end of the period of 6 months beginning with the day on which this Act is passed.
- (4) The following provisions come into force on such day as the Secretary of State may by regulations appoint—
 - (a) section 5(1);
 - (b) section 7;
 - (c) section 9;
 - (d) section 10 so far as not already in force by virtue of subsection (1);
 - (e) subsections (4) and (5) of section 11.
- (5) Different days may be appointed for different purposes.
- (6) The Secretary of State may by regulations make transitional, transitory or saving provision in connection with the coming into force of a provision mentioned in subsection (4).
- (7) The power to make regulations under subsection (6) includes power to make different provision for different purposes.
- (8) Regulations under this section are to be made by statutory instrument.

22 Short title

This Act may be cited as the Professional Qualifications Act 2022.