
STATUTORY INSTRUMENTS

2016 No. 1030

The European Qualifications (Health and Social Care Professions) Regulations 2016

PART 8

OTHER HEALTH PROFESSIONS

CHAPTER 1

AMENDMENT OF THE HEALTH AND SOCIAL WORK PROFESSIONS ORDER 2001

Introductory

146. The Health and Social Work Professions Order 2001 ^{M1} is amended in accordance with this Chapter.

Marginal Citations

M1 [S.I. 2002/254](#), the title of which was substituted by section 213 of the Health and Social Care Act 2012.

Amendment of article 12

147.—(1) Article 12 (approved qualifications) ^{M2} is amended as follows.

(2) After paragraph (1)(b), insert—

“(ba) he is an exempt person and has a right to practise in the United Kingdom by virtue of holding a European professional card in accordance with regulations 56 to 61 of the General Systems Regulations;”.

Marginal Citations

M2 [Article 12](#) was amended by [S.I. 2007/3101](#). There are other amendments but these are not relevant to these Regulations.

Amendment of article 13A

148.—(1) Article 13A (visiting health or social work professions from a relevant European State) ^{M3} is amended as follows.

(2) For paragraph (2), substitute—

“(2) Paragraph (3) applies if—

- (a) V has the benefit of regulation 12 of the General Systems Regulations in connection with the provision by V of relevant services in the United Kingdom on a temporary and occasional basis (V having complied with any requirements imposed under Part 2 of those Regulations in connection with the provision by V of relevant services); or
 - (b) V has a right to practise in the United Kingdom on a temporary and occasional basis by virtue of holding a European professional card in accordance with regulations 51 to 55 of those Regulations.”.
- (3) In paragraph (5)—
- (a) for “17” substitute “ 24 ”;
 - (b) for “8” substitute “ 12 ”.

Marginal Citations

M3 [Article 13A](#) was inserted by [S.I. 2007/3101](#).

Amendment of article 38

149.—(1) Article 38 (appeals) ^{M4} is amended as follows.

(2) In paragraph (1A), after sub-paragraph (b), insert—

- “(c) a decision of the Council under regulation 67 of the General Systems Regulations to send an alert about a person;
- (d) a decision of the Council to revoke, or not to issue, extend or vary a European professional card under Part 4 of the General Systems Regulations;
- (e) a failure by the Council to make a decision in relation to a European professional card within the time limit under regulation 51(1) or 56(1) of the General Systems Regulations.”.

(3) In paragraph (3)(b), after “against” insert “ or, in the case of an appeal from a decision falling within paragraph (1A)(c), direct that the alert be withdrawn or amended ”.

(4) In paragraph (3)(c), after “against” insert “ , or the failure to make a decision falling within paragraph (1A)(e), ”.

Marginal Citations

M4 [Article 38](#) was amended by [S.I. 2007/3101](#). There are other amendments but these are not relevant to these Regulations.

Insertion of article 49

150. After article 48 (supplementary and transitional provisions and extent), insert—

“Review

49. By 1st November 2021, and subsequently at intervals not exceeding 5 years from that date, in accordance with section 30 of the Small Business, Enterprise and Employment Act 2015, the Secretary of State must—

- (a) carry out a review of the amendments made to this Order by the European Qualifications (Health and Social Care Professions) Regulations 2016;

- (b) set out the conclusions of the review in a report; and
- (c) publish the report.”.

Amendment of Schedule 3

151.—(1) Schedule 3 (interpretation) ^{M5} is amended as follows.

(2) In paragraph 1—

(a) for the definition of “General Systems Regulations”, substitute—

““General Systems Regulations” means the European Union (Recognition of Professional Qualifications) Regulations 2015;”;

(b) in the appropriate place, insert—

““European professional card” has the meaning given in Directive [2005/36/EC](#) of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications, as amended from time to time;”.

Marginal Citations

M5 [Schedule 3](#) was amended by [S.I. 2007/3101](#). There are other amendments but these are not relevant to these Regulations.

CHAPTER 2

AMENDMENT OF THE HEALTH PROFESSIONS COUNCIL (REGISTRATION AND FEES) RULES ORDER OF COUNCIL 2003

Introductory

152. The Health and Care Professions Council (Registration and Fees) Rules 2003, which are set out in the Schedule to the Health Professions Council (Registration and Fees) Rules Order of Council 2003 ^{M6}, are amended in accordance with this Chapter.

Marginal Citations

M6 [S.I. 2003/1572](#).

Amendment of rule 4

153.—(1) Rule 4 (applications for registration) ^{M7} is amended as follows.

(2) In paragraph (4)(a)(ii), omit the “or” at the end.

(3) After paragraph (4)(a)(ii), insert—

“(ia) where the applicant is relying on article 12(1)(ba) of the Order, evidence that the applicant has obtained a European professional card; or”.

Marginal Citations

M7 [Rule 4](#) was substituted by [S.I. 2016/693](#). There are other amendments but these are not relevant to these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2016, PART 8.