

SCHEDULES

SCHEDULE 2

Pharmacists and pharmacy technicians

PART 2

Savings and transitional provision

Interpretation of saved provisions

50. Where a provision continues to apply by virtue of this Part, it is to be read as if—

(a) in article 3(1) of the 2010 Order—

(i) there were substituted for the definition of “the Directive”—

““the Directive” means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No L255, 30.09.2005, p 22), and any reference in this Order to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision, as it had effect immediately before [F¹IP completion day];”;

(ii) there were inserted at the appropriate place—

““enforceable EU right” means a right recognised and available in domestic law, immediately before [F²IP completion day], by virtue of section 2(1) of the European Communities Act 1972;”;

(iii) in the definition of “exempt person”, for paragraphs (a) to (c) there were substituted—

“(a) a person who, immediately before [F³IP completion day], was a national of a relevant European State,

(b) a person who, immediately before [F³IP completion day], was a national of the United Kingdom and, at that time, was seeking access to, or pursuing, the profession of pharmacist or pharmacy technician by virtue of an enforceable EU right, or

(c) a person who, immediately before [F³IP completion day], was not a national of a relevant European State, but at that time was, by virtue of an enforceable EU right, entitled to be treated, for the purposes of access to and pursuit of the profession of pharmacist or pharmacy technician, no less favourably than a national of a relevant European State;”;

(iv) in the definition of “General Systems Regulations” [F⁴(other than that definition as it continues to apply by virtue of paragraph 44A or 44B of this Part)], [F⁵at the end] there were inserted—

“(a) in relation to anything done before [F⁶IP completion day], as they had effect at that time;

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 50. (See end of Document for details)

- (b) otherwise, as (and only to the extent that) they have effect, on or after [F6IP completion day], in relation to an entitlement which arose before [F6IP completion day] or arises as a result of something done before [F6IP completion day];”;
- (b) in any reference to a relevant European State other than the United Kingdom, the words “other than the United Kingdom” were omitted.

Textual Amendments

- F1** Words in Sch. 2 para. 50(a)(i) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(a)**
- F2** Words in Sch. 2 para. 50(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(a)**
- F3** Words in Sch. 2 para. 50(a)(iii) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(a)**
- F4** Words in Sch. 2 para. 50(a)(iv) inserted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(b)(i)**
- F5** Words in Sch. 2 para. 50(a)(iv) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(b)(ii)**
- F6** Words in Sch. 2 para. 50(a)(iv) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **10(7)(a)**

Commencement Information

- I1** Sch. 2 para. 50 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 50.