
WELSH STATUTORY INSTRUMENTS

2020 No. 1626

**The Regulation and Inspection of Social Care (Qualifications)
(Wales) (Amendment) (EU Exit) Regulations 2020**

Substitution of regulation 18 (interpretation of provisions saved by regulation 17(2))

11. For regulation 18 (interpretation of provisions saved by regulation 17(2)) of the 2019 Regulations substitute—

“Visiting Swiss social workers and visiting Swiss social care managers: saving of old law

18.—(1) This regulation applies to a relevant applicant.

(2) Despite the amendments made by Part 1, the provisions of the 2016 Act specified in paragraph (5) continue to apply in relation to the provision of those services by a relevant applicant on or after IP completion day as they applied immediately before that day subject to the restriction in paragraph (3) and the modifications specified in paragraph (6).

(3) A relevant applicant may only provide services as a social worker or a social care manager for a period not exceeding 90 days in any calendar year.

(4) Paragraph (2) has effect until the end of the visiting practitioner transitional period.

(5) The provisions of the 2016 Act referred to in paragraph (2) are—

- (a) in section 66(1) (interpretation of Parts 3 to 8), the definitions of “the General Systems Regulations”, “national”, “relevant European State”, “visiting European social care manager part” and “visiting European social worker part”;
- (b) section 74(3) (rules: fees);
- (c) in section 80, subsections (1)(c) and (d), (2)(c) and (d) and (3)(c) and (d) (the register);
- (d) section 90 (visiting social workers from relevant European States);
- (e) section 90A (visiting social care managers from relevant European States);
- (f) section 105 (other appeals: decisions made under the General Systems Regulations);
- (g) section 113(3) to (5) (continuing professional development).

(6) Insofar as the following provisions of the 2016 Act continue to apply by virtue of paragraph (2), they apply with the following modifications—

(a) in section 90 (visiting social workers from relevant European States)—

(i) subsection (1) is to be read as if there were substituted—

“(1) This section applies to a relevant applicant (within the meaning given in regulation 15A of the Regulation and Inspection of Social Care (Qualifications) (Wales) (Amendment) (EU Exit) Regulations 2019) (“V”) who is lawfully established in Switzerland, as a social worker.”;

(ii) subsection (8) is to be read as if—

- (aa) for the definition of “the General Systems Regulations”, there were substituted—
- “the General Systems Regulations” (“*y Rheoliadau Systemau Cyffredinol*”) means the European Union (Recognition of Professional Qualifications) Regulations 2015 (S.I. 2015/2059)—
- (a) in relation to anything done before IP completion day, as they had effect at that time but subject to the modification that any reference to “the Care Council for Wales” is to be read as if there were substituted “Social Care Wales”,
- (b) otherwise (and only to the extent that) they have effect, on or after IP completion day, in relation to an entitlement which arose before IP completion day or arises as a result of something done before IP completion day;”;
- (bb) in the definition of “national” for “is not” there were substituted “was not immediately before IP completion day”;
- (b) section 90A (visiting social care managers from relevant European States) is to be read as if for subsection (1) there were substituted—
- “(1) This section applies to a relevant applicant (within the meaning given in regulation 15A of the Regulation and Inspection of Social Care (Qualifications) (Wales) (Amendment) (EU Exit) Regulations) 2019 (“X”) who is lawfully established in Switzerland, as a social care manager.”;
- (c) section 113 (continuing professional development) is to be read as if in subsection (5) for “the relevant” to the end there were substituted “Switzerland”.”