
WELSH STATUTORY INSTRUMENTS

2020 No. 1626

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

Insertion of provision concerning administrative co-operation

7. After regulation 15B (actions taken, decisions made etc. before IP completion day: general saving) of the 2019 Regulations (as inserted by regulation 6), insert—

“Administrative cooperation under the EEA EFTA citizens’ rights agreement

15C.—(1) Where a person, before IP completion day, made an application under Article 26 of the EEA EFTA citizens’ rights agreement to a competent authority in Iceland, Norway or Liechtenstein for recognition of a professional qualification awarded or recognised by Social Care Wales, Social Care Wales must—

- (a) cooperate with the competent authority in Iceland, Norway or Liechtenstein, or with the person (as the case may be), in accordance with the general cooperation provision, and
- (b) provide information to the competent authority in Iceland, Norway or Liechtenstein regarding disciplinary action taken or criminal sanctions imposed, or any other serious, specific circumstances which are likely to have consequences for the pursuit of professional activities by that individual.

(2) Social Care Wales must process information for the purposes of paragraph (1) in accordance with “the data protection legislation” within the meaning of section 3(9) of the Data Protection Act 2018⁽¹⁾.

(3) In this regulation—

“the 2015 Regulations” (“*Rheoliadau 2015*”) means the 2015 Regulations⁽²⁾ as they had effect immediately before IP completion day 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”;

“competent authority” (“*awdurdod cymwys*”), in relation to Iceland, Norway and Liechtenstein, means a body in Iceland, Norway or, Liechtenstein (as the case may be), which is a competent authority for the purposes of the 2015 Regulations (see paragraph (b) of the definition of “competent authority” in regulation 2(1) of those Regulations);

“EEA EFTA citizens’ rights agreement” (“*cytundeb hawliau dinasyddion EFTA yr AEE*”) means the Agreement signed in London on 2 April 2019 between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland on arrangements regarding citizens’ rights following the withdrawal of the United Kingdom from the European Union and the EEA Agreement;

(1) 2018 c. 12.

(2) S.I. 2015/2059.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the general cooperation provision” (“y ddarpariaeth cydweithredu cyffredinol”) means—

- (a) regulation 5(2), (4) and (5) of the 2015 Regulations, as modified by paragraph 44(4)(b) of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019⁽³⁾,
 - (b) regulation 5(3) of the 2015 Regulations,
- to the extent they apply in relation to Social Care Wales.”

⁽³⁾ S.I. 2019/312. Paragraph 44(4) is substituted by the [Professional Qualifications and Services \(Miscellaneous Provisions\) \(EU Exit\) Regulations 2020/1038](#).