



Professional Qualifications Act 2022

2022 CHAPTER 20

Assistance and information

7 Assistance centre

- (1) The Secretary of State must make arrangements for another person (“the assistance centre”) to—
 - (a) provide advice and assistance relating to the entry requirements for regulated professions to—
 - (i) individuals seeking to practise a regulated profession in the United Kingdom or a part of it, and
 - (ii) such other persons as the Secretary of State considers appropriate,
 - (b) provide advice and assistance relating to the entry requirements for overseas professions to—
 - (i) individuals with UK qualifications or UK experience seeking to practise an overseas profession in a country or territory outside the United Kingdom, and
 - (ii) such other persons as the Secretary of State considers appropriate, and
 - (c) publish advice and information relating to—
 - (i) the entry requirements for regulated professions, and
 - (ii) the entry requirements for overseas professions.
- (2) A regulator of a regulated profession must provide to the assistance centre any information that—
 - (a) is held by the regulator of the regulated profession, and
 - (b) is requested by the assistance centre for the purposes of enabling it to discharge its functions under the arrangements.
- (3) The assistance centre must provide to the Secretary of State any information relating to the discharge of its functions under the arrangements that—
 - (a) is held by the assistance centre, and
 - (b) is requested by the Secretary of State.

- (4) A disclosure of information required under this section does not breach—
- (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (5) Nothing in this section requires the making of a disclosure which contravenes the data protection legislation (save that the duties imposed by this section are to be taken into account in determining whether any disclosure contravenes that legislation).
- (6) In this section—
- “the entry requirements” means—
- (a) in relation to a regulated profession, the requirements as to qualifications, experience or otherwise that must be met by an individual to become entitled to practise the profession in the United Kingdom or a part of it;
 - (b) in relation to an overseas profession, the requirements as to qualifications, experience or otherwise that must be met by an individual to become entitled to practise the profession in the country or territory concerned;
- “overseas profession” means a profession practised in a country or territory outside the United Kingdom.

8 Duty of regulator to publish information on requirements to practise

- (1) A regulator of a regulated profession must—
- (a) publish the information mentioned in subsection (2) on a website that—
 - (i) is maintained by the regulator,
 - (ii) is publicly accessible, and
 - (iii) is easy to use, and
 - (b) keep that information up to date.
- (2) The information is—
- (a) information as to the qualifications or experience an individual must obtain to become entitled to practise the profession (disregarding any exception to the need to obtain those qualifications or that experience);
 - (b) information as to any application process by which an individual who has not obtained the qualifications or experience mentioned in paragraph (a) may seek to become entitled to practise the profession in reliance on overseas qualifications or overseas experience;
 - (c) information as to any application process to which section 26 of the United Kingdom Internal Market Act 2020 applies by which an individual who has not obtained the qualifications or experience mentioned in paragraph (a) may seek to become entitled to practise the profession in reliance on UK qualifications or UK experience;
 - (d) in a case where there is an application process of a sort mentioned in paragraph (b) or (c), information as to—
 - (i) the number of individuals who have sought to become entitled to practise the profession by means of the process;
 - (ii) the number of individuals who have become entitled to practise the profession by means of the process; and

- (iii) the qualifications or experience held by individuals who have become entitled to practise the profession by means of the process;
 - (e) information as to any requirement for an individual to be registered, licensed or similarly authorised in order to become entitled to practise the profession;
 - (f) information as to any other requirement that must be met by an individual to become entitled to practise the profession;
 - (g) information as to any requirement as to training, learning or otherwise that must be met by an individual to continue to be entitled to practise the profession;
 - (h) information as to how any requirement mentioned in paragraph (g) may be met (such as information as to the institutions from which any training or learning may be obtained);
 - (i) information as to any fees payable to the regulator by individuals seeking to become or to continue to be entitled to practise the profession (such as fees payable on making an application to be registered to practise the profession); and
 - (j) such other information relating to the regulation of the profession as may be specified by the appropriate national authority.
- (3) Where—
 - (a) there is no application process of a sort mentioned in subsection (2)(b),
 - (b) there is no application process of a sort mentioned in subsection (2)(c),
 - (c) there is no requirement of a sort mentioned in subsection (2)(e),
 - (d) there is no requirement of a sort mentioned in subsection (2)(f),
 - (e) there is no requirement of a sort mentioned in subsection (2)(g), or
 - (f) there are no fees of a sort mentioned in subsection (2)(i),the regulator mentioned in subsection (1) must publish a statement that this is the case on the website mentioned in that subsection.
- (4) Where the regulator mentioned in subsection (1) is not the only regulator of the regulated profession—
 - (a) that regulator must publish on the website mentioned in subsection (1) a statement that identifies the other regulator,
 - (b) the reference in subsection (2)(i) to that regulator is to be read as including a reference to the other regulator,
 - (c) anything done by that regulator is to be taken for the purposes of this section to have also been done by the other regulator, and
 - (d) the website mentioned in subsection (1) is to be taken for the purposes of this section to also be maintained by the other regulator.
- (5) Where the regulatory functions of the regulator mentioned in subsection (1) are exercisable throughout the United Kingdom, the references in subsection (2) to becoming or continuing to be entitled to practise the regulated profession are to be read as references to becoming or continuing to be entitled to practise the regulated profession in the United Kingdom.
- (6) Where the regulatory functions of the regulator mentioned in subsection (1) are exercisable only in a part of the United Kingdom—
 - (a) the references in subsection (2) to becoming or continuing to be entitled to practise the regulated profession are to be read as references to becoming or

continuing to be entitled to practise the regulated profession in that part of the United Kingdom, and

- (b) the reference in subsection (4) to a case where that regulator is not the only regulator of the regulated profession is to be read as a reference to a case where that regulator is not the only regulator of the regulated profession with regulatory functions exercisable in that part of the United Kingdom.

- (7) In this section “regulatory functions” means functions under legislation that relate to the regulation of the regulated profession mentioned in subsection (1).

9 Duty of regulator to provide information to regulator in another part of UK

- (1) This section applies where—
 - (a) an individual is, or has been, entitled to practise a regulated profession in a part of the United Kingdom, and
 - (b) the individual is seeking to practise a corresponding regulated profession in another part of the United Kingdom.
- (2) A regulator of the regulated profession mentioned in subsection (1)(a) (“the first regulator”) must provide to a regulator of the corresponding regulated profession mentioned in subsection (1)(b) (“the second regulator”) any information—
 - (a) that is held by the first regulator,
 - (b) that relates to the individual,
 - (c) that—
 - (i) is requested by the second regulator, or
 - (ii) is requested by the individual to be provided to the second regulator,
 and
 - (d) that is required by the second regulator for the purpose of determining any question relating to the entitlement of the individual to practise the corresponding regulated profession in the part of the United Kingdom mentioned in subsection (1)(b).
- (3) A disclosure of information under this section does not breach—
 - (a) any obligation of confidence owed by the first regulator, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (4) Nothing in this section requires the making of a disclosure which contravenes the data protection legislation (save that the duty imposed by this section is to be taken into account in determining whether any disclosure contravenes that legislation).
- (5) In this section, “corresponding regulated profession” means a regulated profession that ordinarily consists of activity that is the same as, or substantially corresponds to, activity that ordinarily comprises the practice of the regulated profession mentioned in subsection (1)(a).

10 Duty of regulator to provide information to overseas regulator

- (1) This section applies where—
 - (a) an individual is, or has been, entitled to practise a regulated profession in the United Kingdom or a part of the United Kingdom, and
 - (b) the individual is seeking to practise a corresponding profession in a country or territory outside the United Kingdom.

- (2) A regulator of the regulated profession must provide to an overseas regulator of the corresponding profession any information—
 - (a) that is held by the regulator of the regulated profession,
 - (b) that relates to the individual,
 - (c) that—
 - (i) is requested by the overseas regulator, or
 - (ii) is requested by the individual to be provided to the overseas regulator, and
 - (d) is required by the overseas regulator for the purpose of determining any question relating to the entitlement of the individual to practise the corresponding profession in the country or territory mentioned in subsection (1)(b).
- (3) But the duty imposed by subsection (2) does not apply by reason of a request by the overseas regulator unless it is made with the permission of the individual.
- (4) The appropriate national authority may by regulations make such provision as the authority considers appropriate in connection with the duty imposed by subsection (2) (including provision limiting the duty).
- (5) The regulations may in particular provide that—
 - (a) the duty applies only in relation to information of a specified description;
 - (b) the duty applies only if the request by the overseas regulator or the individual is made in a specified manner;
 - (c) the duty applies by reason of a request by the overseas regulator only if the request is accompanied by specified evidence that it is made with the permission of the individual;
 - (d) the duty applies only on the payment of a specified fee, or a fee determined in a specified manner, to the regulator of the regulated profession;
 - (e) the duty is to be complied with within a specified period.
- (6) A disclosure of information under this section does not breach—
 - (a) any obligation of confidence owed by the regulator of the regulated profession, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (7) Nothing in this section requires the making of a disclosure which contravenes the data protection legislation (save that the duty imposed by this section is to be taken into account in determining whether any disclosure contravenes that legislation).
- (8) In this section—

“corresponding profession” means a profession that ordinarily consists of activity that is the same as, or substantially corresponds to, activity that ordinarily comprises the practice of the regulated profession mentioned in subsection (1)(a);

“overseas regulator”, in relation to a corresponding profession, means any person having functions under the law of a country or territory outside the United Kingdom that relate to the regulation of the corresponding profession in that country or territory.