



Professional Qualifications Act 2022

2022 CHAPTER 20

Assistance and information

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;

Status: Point in time view as at 28/10/2022.

Changes to legislation: There are currently no known outstanding effects for the Professional Qualifications Act 2022, Section 10. (See end of Document for details)

- (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.

Commencement Information

- I1** S. 10 in force at Royal Assent for specified purposes, see [s. 21\(1\)\(e\)](#)
- I2** [S. 10](#) in force at 28.10.2022 in so far as not already in force by [S.I. 2022/936](#), [reg. 3\(b\)](#)

Status:

Point in time view as at 28/10/2022.

Changes to legislation:

There are currently no known outstanding effects for the Professional Qualifications Act 2022, Section 10.