

SCHEDULE 1

Amendments etc. of the principal Regulations and the 2007 Regulations

PART 3

Transitional and saving provision

2007 Regulations – Temporary and occasional provision of services - transitional and saving provision

47.—(1) This paragraph applies where, before exit day, an applicant has submitted or renewed a declaration in accordance with regulation 11 of the 2007 Regulations to the appropriate competent authority.

(2) The provisions of the 2007 Regulations continue to apply on and after exit day in relation to the applicant concerned, as they had effect immediately before exit day, but subject to the modifications specified in paragraph (3), until the earlier of the following—

- (a) the day before that on which renewal of the declaration in accordance with regulation 11(2) (c) would have been required but for the modification specified in paragraph (3);
 - (b) the loss of entitlement to provide services in accordance with regulation 17(1) or 18 (as those regulations are modified in accordance with sub-paragraph (3)) or pursuant to any other provision of the 2007 Regulations;
 - (c) where applicable—
 - (i) the expiry of the period for appeal against a decision under regulation 9(2) without an appeal being made; or
 - (ii) the determination of any appeal made under regulation 36(1) against the applicant, in relation to a decision under regulation 9(2); or
 - (d) the day before the first anniversary of the day on which exit day falls.
- (3) The modifications to the 2007 Regulations are as follows—
- (a) the United Kingdom is to be treated as falling within the definition of “relevant European State”;
 - (b) regulation 5 is to be read as if—
 - (i) paragraph (2) were omitted;
 - (ii) in paragraph (3) for “shall” there were substituted “may”;
 - (iii) paragraph (5) were omitted;
 - (iv) for paragraph (7), there were substituted—
 - “(7) A competent authority must provide applicants with all information about the requirements, procedures and formalities they need to complete to gain access to and pursue their regulated professions.”.
 - (c) regulation 11 is to be read—
 - (i) as if paragraph (2)(c) and the “and” immediately before it were omitted;
 - (ii) in paragraph (3) “or renewal” were omitted;
 - (d) regulation 16(5) is to be read as if after “the applicant may” there were inserted “not”;
 - (e) regulation 17 is to be read as if paragraphs (2), (3) and (4) were omitted;
 - (f) regulation 18 is to be read as if after paragraph (2), there were inserted—

Status: This is the original version (as it was originally made).

“(3) If the competent authorities of the home State fail to provide the information requested under paragraph (1)(a) within one month, the applicant will no longer be entitled to provide services in the profession that the applicant is pursuing in the United Kingdom in accordance with this Part nor retain any temporary registration.”.

(4) In this paragraph, “applicant” has the meaning in regulation 6(3) of the 2007 Regulations, as those Regulations had effect immediately before exit day.