

SCHEDULE 1

Amendments etc. of the principal Regulations and the 2007 Regulations

PART 3

Transitional and saving provision

Applications begun before exit day – Chapters 1 and 2 of Part 3 of the 2007 Regulations - transitional and saving provision

48.—(1) This paragraph applies where—

- (a) before exit day, an applicant has made an application to a competent authority under, or relying on an entitlement under, Chapters 1 and 2 of Part 3 of the 2007 Regulations; and
- (b) the application has not been finally determined before exit day.

(2) For the purposes of sub-paragraph (1), an application is finally determined when—

- (a) the competent authority has notified or is deemed to have notified the applicant of its decision; and
- (b) either—
 - (i) the period for appeal against that decision under the 2007 Regulations has expired without an appeal being made; or
 - (ii) an appeal made under regulation 36(1) of the 2007 Regulations against a decision taken or deemed to be taken under regulation 34 has been determined.

(3) The provisions of the 2007 Regulations continue to apply on and after exit day as they had effect immediately before exit day, but subject to the modifications specified in sub-paragraph (4), in relation to—

- (a) the application concerned; and
- (b) any appeal under regulation 36 of the 2007 Regulations against a decision made under regulation 34 in relation to that application.

(4) 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) in regulation 32(1) is to be read as if for “require” there were substituted “request”.

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