No Deal Brexit Readiness

Guidance on the recognition of professional qualifications

The UK and the European Union
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Guidance for Professionals: the European Union

This advice pack provides guidance to businesses employing professionals wanting to provide services in regulated professions in the United Kingdom (UK), having qualified in the European Union (EU). It also provides guidance for businesses employing professionals wanting to provide services in regulated professions in the EU, having qualified in the UK. This guidance outlines the legal repercussions that professionals will face when seeking access to regulated professions, in the event that the UK withdraws from the EU without a negotiated detail and becomes a third country.

For professionals entering the UK, this guidance should be read in conjunction with the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019, or the other profession-specific regulations that have been laid. These regulations amend the European Union (Recognition of Professional Qualifications) Regulations 2015. In the event that the UK withdraws without a negotiated deal, the 2019 Regulations would enter into force.

For professionals entering the EU, this guidance should be read in conjunction with the European Commission’s Notice to Stakeholders – Withdrawal of the United Kingdom and EU Rules in the Field of Regulated Professions and the Recognition of Professional Qualifications, which was published in June 2018.

Current Situation

Currently, a reciprocal framework is in place governing the recognition of professional qualifications to access regulated professions in a Member State other than where the qualification was obtained. This framework is outlined in Directive 2005/36/EC (as amended by Directive 2013/55/EU), which is transposed into national and/or regional legislation in all EU and European Free Trade Association (EFTA) States, and this also applies in Switzerland.

A regulated profession is a professional activity or group of professional activities where access is subject to satisfying legislative, regulatory or administrative professions, which includes the possession of a professional qualification.

If your profession is regulated in the European Union, the regulator (also known as the competent authority) in that Member State is responsible for determining whether a professional may access the profession. This includes those wishing to work in a self-employed or employed capacity.

Regulation of Professions

This reciprocal framework only applies to professionals seeking recognition in order to access a regulated profession in another Member State.

1 In some cases, regulation may be undertaken at regional level
Regulated Profession

*Regulated Profession: A professional activity where access is limited to the possession of one or more professional qualifications, and often the use of a professional title. This is normally a legislative, regulatory or administrative requirement.*

Individuals who do not hold relevant professional qualifications and are not registered with the competent authority are not allowed to practice this profession. This provision is usually laid out in that Member State’s legislation.

For the purpose of the Directives concerning the recognition of professional qualifications, protected titles such as Chartered Engineer or Chartered Accountant are also considered regulated professions, since access to these titles is based upon meeting requirements concerning training and experience.

Professions can be regulated nationally or regionally, depending on the legal situation in the Member State. Professions can be regulated by one or more regulatory bodies in each Member State. In the Directive, these bodies are called competent authorities, but may also be referred to in some Member States as professional bodies or chambers.

Unregulated Profession

*Unregulated Profession: A professional activity where access is not limited and there are usually no legislative, regulatory or other administrative requirements limiting access.*

This could include professions where there is self-regulation, or where there are voluntary professional bodies offering training accepted by the sector. These professions are not “regulated” in terms of the definition provided in the Directive.

Recognition Regimes

There are two ways to access regulated professions, depending on the nature of the services that are going to be provided. The first is establishment, and the second is providing services on a temporary and occasional basis. These types of mobility are not laid out in the Directive. The competent authority can consider this on a case-by-case basis, or can have a blanket rule.

Establishment

*Established mobility could refer to setting up a company overseas, or intending to provide services on a permanent basis.*

For those seeking establishment, they need to have their professional qualification(s) and experience recognised by the competent authority for that profession and satisfy all of the registration criteria. The way the professional qualification(s) and experience are recognised depends on whether the profession is covered by the recognition system that the profession falls under – automatic system, general system, or recognition of professional experience.

Once an application is received in full by the competent authority, they have three months, or exceptionally four, to carry out the recognition process on the professional qualification(s) and experience. If there is going to be a delay, the competent authority must inform the individual of this delay within the first month and must then complete the check within the fourth month.
Temporary and Occasional Provision of Services

Temporary mobility could refer to providing services on an occasional basis or for a short period of time

For cases where a professional is seeking to provide services on a temporary and occasional basis, for most professions, once an application is received, the competent authority has one month to carry out the check and inform the individual of their decision. If there is going to be a delay, the competent authority must inform the individual of this delay within that month and must then complete the check within the second month.

For professions with public health and safety implications the competent authority must check the professional’s qualifications prior to the first provision of services. This is to establish whether there are any substantial differences between the professional’s qualifications and the standards required in the Host State. To do this the competent authority can request information on the training followed, as well as the individual’s professional experience, and any continuous professional development or additional training undertaken.

When the competent authority is examining the qualification, if substantial differences are established, the individual should be given the opportunity to demonstrate they are competent. This is usually via an aptitude test.

Professionals seeking recognition in these professions with health and safety implications have one month to respond to requests for further information on their training. If the professional does not respond, the competent authority can request this information from the Home State competent authority, contact point or other relevant body.

Recognition Systems
There are three different recognition systems in place; automatic, general and recognition of professional experience.

Automatic System
At present, seven professions are subject to “harmonised” basic training requirements across the EU; all of the regulators for these professions have jointly agreed that the basic training in each country meets the same standards. Authorities do not, therefore, have to assess the details of these qualifications for every applicant. The seven professions are: doctor, nurse responsible for general care, midwife, pharmacist, dental practitioner, veterinary surgeon and architect.

General System
Most other professions fall under the “general system” in which the host Member State authority will need to determine if the qualification meets the same standards as they require for their own home Member State professionals.

Professions seeking access to any of the seven professions covered by the automatic system but do not hold one of qualifications meeting the harmonised requirement can apply to have their professional qualifications assessed via the General system.
Recognition of Professional Experience

Some professions are also subject to a regime for the “recognition of professional experience”. This exists where a profession requires formal training in some Member States, but does not ordinarily require any formal training in a large number of other Member States. For example, carpenters or hairdressers can be covered under this part of the recognition system. In some Member States, a formal course of education is required, but there are many where it is normal to “learn on the job”.

For these professions, a significant number of years of experience, in an “independent” capacity (as a manager or self-employed individual) can act as sufficient proof of professional competence. In the UK, only farriers are subject to this regime for inbound professionals.

Compensation Measures

When a competent authority is examining a professional’s qualifications and finds there are differences between those and the standards required of Host State professions, they may set compensation measures. Compensation measures are designed to overcome the issue of not having harmonised training requirements across all professions in the EU.

Compensation measures should take into account professional experience and be proportionate – they must account for the fact that the individual is a qualified professional in their home state.

There are a number of reasons for setting compensation measures. These are if:

- The duration of training is one year or more shorter in duration than in the Host State
- The training is substantially different (either in nature or in what is covered)
- The regulated profession in the Host State covers more regulated professional activities than that in the Home State

There are usually two possible types of compensation measures, the aptitude test and the adaptation period. In some professions, individuals do not have a choice on their compensation measure, in others individuals are free to choose.

Aptitude Test

An aptitude test must cover the areas not covered by the Home State qualification and must take into account that the applicant is a qualified professional in their Home State – for example an individual would be informed of the area they needed to demonstrate competent in, so would sit an aptitude test to show this – this could be via a multiple choice test or interview for example.

Adaptation Period

An adaptation period forms part of the assessment and may be accompanied by further training – an individual would work alongside and be supervised by someone recognised by the competent authority. Professionals are responsible for organising their own adaptation placement.

Partial Access

When Directive 2005/36/EC was amended by Directive 2013/55/EU, a new provision was included to allow professionals to apply for partial access to a regulated profession.
Requests must be considered by competent authorities on a case by case basis. Partial access can be used when a professional is fully qualified in a profession in their Home State, but that profession forms a subset of a profession in another Member State. Where it is possible for professional activities to be clearly separated out, and where service recipients can be made aware of the limited scope or function that the professional can perform, partial access may be granted.

**Registration**

Once a professional has had their qualifications recognised, there may still be a number of requirements the professional should satisfy before being granted registration or the right to start working in a regulated profession. This could include holding insurance, having a criminal record check, proving language competence, or demonstrating non bankruptcy.

**Situation in the event of a “No Deal” Brexit – Recognition in the EU**

If the UK leaves the European Union without a negotiated deal, the reciprocal framework covered by Directive 2005/36/EC as amended by Directive 2013/55/EU no longer applies to the UK. This will affect the process by which professionals can access regulated professions in the EU.

In the event of a no-deal Brexit, outbound UK citizens and professionals with UK qualifications will need to contact the appropriate regulator in another Member State to seek registration, including having their professional qualification(s) recognised.

The regulation of professions varies across the EU. To find out whether your profession is regulated in another Member State, you can check the [European Commission’s Regulated Professions Database](https://ec.europa.eu/info/business-economy-euro/industries-professions/professions-are-regulated_en). It should be noted that the Regulated Professions Database is not exhaustive so it is also recommended that you contact the Point of Single Contact in that Member State for clarification.

**Points of Single Contact** provide information on the recognition of professional qualifications and regulated professions, but also provide information on licensing, permits or notifications required to start a business, labour and social laws, and other practical issues associated with carrying out services in another Member State.

You can also contact the [National Assistance Centre](https://ec.europa.eu/info/business-economy-euro/industries-professions/national-assistance-centres_en) in that Member State, as they can also provide clarification on whether a profession is regulated and how to access it.

**Applications in Progress**

If an application for recognition is in progress at the point of exit, some Member States have confirmed that they will complete the application under the current procedures, but not all Member States have confirmed this.

**Professionals Already Registered**

The European Commission has advised that existing decisions on the recognition of professional qualifications remain valid.

However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be
required to re-apply for registration and be “re-recognised”. If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.

Applications Made After Exit
After the UK withdraws from the EU, if no deal is negotiated then UK qualifications become third country qualifications regardless of the nationality of the holder. For a qualification to be recognised, alternative routes to recognition will be required, in compliance with national policies and rules.

Some Member States do not have routes for all regulated professions that cover professionals seeking recognition on the basis of third country qualifications. In this scenario, recognition may not be possible.

Temporary and Occasional Provision of Services
Professionals currently practising a regulated profession in the EU on a temporary and occasional basis may continue to do so during the 12 months following their most recent notification. However, once the 12 month period has expired, competent authorities will no longer be obligated to accept an application from a professional to practise on a temporary and occasional basis.

Certificate of Experience
The National Assistance Centre will continue to process applications for a Certificate of Experience for professionals seeking recognition on the basis of professional experience in regulated trades or crafts. However, there is no guarantee that Member States will accept the Certificate and it is therefore recommended that professionals seek clarification with the relevant competent authority prior to applying for a Certificate.

European Professional Cards
European Professional Cards (EPC) will cease to be issued from the point of exit, as the UK will no longer be able to access the Internal Market Information (IMI) system used to process EPC applications. Existing applications still in the system will be deleted as soon as the UK’s access to IMI is removed.

Situation in the event of a “No Deal” Brexit – Recognition in the UK

The following sections within this guidance document provide information for professionals seeking recognition in the UK.

As Directive 2005/36/EC, as amended by Directive 2013/55/EU would no longer apply to the UK, the legislation transposing it into UK law - The European Communities (Recognition of Professional Qualifications) Regulations 2007 as amended by European Union (Recognition of Professional Qualifications) Regulations 2015 - would also no longer apply. As a result, a number of pieces of legislation have been laid that would enter into force in the event of leaving without a negotiated deal. These pieces of legislation remove obligations from competent authorities that they will not be able to fulfil, whilst still maintaining a system for recognising EU qualifications in the UK.
Each section outlines the recognition procedures for certain professions:

- The majority of regulated professions
- Health and social care professions
- Architects
- Veterinary surgeons
- Farriers
- Other professions, including lawyers and statutory auditors.

**Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019**


**Applications in Progress**

If an application for recognition is in progress at the point of exit, the application should, as far as possible, be processed in the UK under the pre-Exit regulations.

**Professionals Already Registered**

The [Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019](https://www.gov.uk/guidance/recognition-of-professional-qualifications-amendments-etc-eu-exit-regulations-2019) ensures that recognition decisions already made are protected and remain valid. However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be required to re-apply for registration and be "re-recognised". If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.

**Applications Made After Exit**

Applications made after exit should be processed in accordance with the [Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019](https://www.gov.uk/guidance/recognition-of-professional-qualifications-amendments-etc-eu-exit-regulations-2019). These regulations set out the new recognition procedure.

As per the existing procedures, competent authorities must act as the contact point for the profession, providing detailed information to applicants on the profession, and must continue to allow professionals to apply online.

A professional’s eligibility for recognition under the [Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019](https://www.gov.uk/guidance/recognition-of-professional-qualifications-amendments-etc-eu-exit-regulations-2019) is based on the nationality of the qualification and not of the holder. This means that EU qualifications are covered by these regulations, but individuals holding third country qualifications that have been recognised in the EU are not covered.
Once a qualification is deemed eligible, competent authorities must recognise qualifications that are deemed equivalent in level, scope and content to the UK requirements. This means that competent authorities must recognise qualifications that are comparable to UK standards, covering the same or similar activities as the UK training, and covering the same or similar matters. Where training does not, competent authorities can reject applications for recognition. Competent authorities are no longer obliged to offer compensation measures or partial access to those professionals who are not deemed fully qualified, but can continue to do so if they are able to.

**Temporary and Occasional Provision of Services**
Competent authorities will no longer be obliged to provide a separate procedure for those professionals wishing to provide services on a temporary and occasional basis. Whilst this obligation is removed, competent authorities can continue to provide this mechanism if they are able to do so.

Professionals practising a regulated profession in the UK on a temporary and occasional basis on exit day may continue to do so during the 12 months following their most recent notification. However, once the 12 month period has expired, competent authorities will no longer be obligated to accept an application from a professional to practise on a temporary and occasional basis.

**European Professional Cards**
European Professional Cards (EPC) will cease to be issued from the point of exit, as the UK will no longer be able to access the Internal Market Information (IMI) system used to process EPC applications. Existing applications still in the system will be deleted as soon as the UK's access to IMI is removed.

**The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019**

The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 have been laid by the Department for Health and Social Care) and cover the health and social care professions in the United Kingdom. These regulations come into force on exit day, amending The European Qualifications (Health and Social Care Professions) Regulations 2016, the European Union (Recognition of Professional Qualifications Regulations 2015), and The European Communities (Recognition of Professional Qualifications) Regulations 2007.

**Applications in Progress**
If an application for recognition is in progress at the point of exit, the application should, as far as possible, be processed in the UK under the pre-Exit regulations.

**Professionals Already Registered**
The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 ensures that recognition decisions already made are protected and remain valid.
However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be required to re-apply for registration and be “re-recognised”. If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.

Applications Made After Exit
Applications made after exit should be processed in accordance with The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019. These regulations set out the new recognition procedure, ensuring that professionals with EEA or Swiss qualifications have clear routes to recognition in the UK.

As per the existing procedures, competent authorities must act as the contact point for the profession, providing detailed information to applicants on the profession, and must continue to allow professionals to apply online.

Automatic System
For professions in health and social care covered by the automatic recognition system (dental practitioners, doctors – general practitioners and specialists, midwives, nurses, and pharmacists) where the minimum training conditions are harmonised, a list of the EU qualifications that are currently automatically recognised will be retained for two years upon exit day. Once the two years has passed, the list of qualifications will be reviewed by the relevant competent authorities. If changes are necessary after two years, the Privy Council must consent to the proposed changes.

For registrants with qualifications that are automatically recognised, competent authorities can continue to check a professional’s fitness or practice and language skills.

General System
For all other regulated professions in health and social care not covered by the automatic recognition system, and for holders of non-automatically recognised qualifications in the professions within the automatic system, professionals will need to apply to the relevant competent authority.

Temporary and Occasional Provision of Services
Competent authorities will no longer be obliged to provide a separate procedure for those professionals wishing to provide services on a temporary and occasional basis. Whilst this obligation is removed, competent authorities can continue to provide this mechanism if they are able to do so.

Professionals practising a regulated profession in the UK on a temporary and occasional basis on exit day may continue to do so during the 18 months following their most recent notification. However, once the 18 month period has expired, competent authorities will no longer be obligated to accept an application from a professional to practise on a temporary and occasional basis and professionals should instead seek full registration.

European Professional Cards
European Professional Cards (EPC) will cease to be issued from the point of exit, as the UK will no longer be able to access the Internal Market Information (IMI) system used to process
EPC applications. Existing applications still in the system will be deleted as soon as the UK’s access to IMI is removed.

**The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019**

The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 have been laid by the Ministry of Housing, Communities and Local Government to cover the profession of architect in the United Kingdom. These regulations come into force on exit day, amending the Architects Act 1997, the European Union (Recognition of Professional Qualifications Regulations 2015), and The European Communities (Recognition of Professional Qualifications) Regulations 2007.

**Applications in Progress**

If an application for recognition is in progress at the point of exit, the application should, as far as possible, be processed in the UK under the pre-Exit regulations.

**Professionals Already Registered**

The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 ensures that recognition decisions already made are protected and remain valid.

However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be required to re-apply for registration and be “re-recognised”. If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.

**Applications Made After Exit**

Applications made after exit should be processed in accordance with The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019. These regulations set out the new recognition procedure, ensuring that professionals with EEA or Swiss qualifications have clear routes to recognition in the UK.

As per the existing procedures, competent authorities must act as the contact point for the profession, providing detailed information to applicants on the profession, and must continue to allow professionals to apply online.

**Automatic System**

The profession of architect is one of the professions covered by the automatic recognition system where the minimum training conditions are harmonised. A list of the EEA and Swiss qualifications that are currently automatically recognised will be retained. A review of the list of automatically recognised qualifications will take place after exit day.

**General System**

For architects who held qualifications not covered by the automatic recognition system professionals will need to apply to the relevant competent authority via the third country route.
Temporary and Occasional Provision of Services
Competent authorities will no longer be obliged to provide a separate procedure for those professionals wishing to provide services on a temporary and occasional basis. Whilst this obligation is removed, competent authorities can continue to provide this mechanism if they are able to do so.

Architects practising in the UK on a temporary and occasional basis on exit day may continue to do so during the 12 months following their most recent notification. However, once the 12 month period has expired, the competent authority will no longer be obligated to accept an application from a professional to practise on a temporary and occasional basis and professionals should instead seek full registration.

The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019

The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019 have been laid by the Department for Environment, Food and Rural Affairs to cover the profession of veterinary surgeon in the United Kingdom. These regulations come into force on exit day, amending the European Union (Recognition of Professional Qualifications Regulations 2015), and The European Communities (Recognition of Professional Qualifications) Regulations 2007.

Applications in Progress
If an application for recognition is in progress at the point of exit, the application should, as far as possible, be processed in the UK under the pre-exit regulations.

Professionals Already Registered
The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019 ensures that recognition decisions already made are protected and remain valid.

However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be required to re-apply for registration and be “re-recognised”. If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.

Applications Made After Exit
Applications made after exit should be processed in accordance with The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019. These regulations set out the new recognition procedure, ensuring that professionals with EEA or Swiss qualifications have clear routes to recognition in the UK.

As per the existing procedures, competent authorities must act as the contact point for the profession, providing detailed information to applicants on the profession, and must continue to allow professionals to apply online.
Automatic System
The profession of veterinary surgeon is one of the professions covered by the automatic recognition system where the minimum training conditions are harmonised. The competent authority for veterinary surgeons will continue to recognise degrees accredited by the European Association of Establishments for Veterinary Education (EAEVE).

General System
For veterinary surgeons holding qualifications not accredited by the EAEVE, professionals will need to apply to the relevant competent authority for recognition.

Temporary and Occasional Provision of Services
Competent authorities will no longer be obliged to provide a separate procedure for those professionals wishing to provide services on a temporary and occasional basis. Whilst this obligation is removed, competent authorities can continue to provide this mechanism if they are able to do so.

Architects practising in the UK on a temporary and occasional basis on exit day may continue to do so during the 12 months following their most recent notification. However, once the 12 month period has expired, the competent authority will no longer be obligated to accept an application from a professional to practise on a temporary and occasional basis and professionals should instead seek full registration.

The Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019
The Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019 have been laid by the Department for Environment, Food and Rural Affairs to cover the profession of farrier in the England, Wales and Scotland. These regulations come into force on exit day, amending the European Union (Recognition of Professional Qualifications Regulations 2015), and The European Communities (Recognition of Professional Qualifications) Regulations 2007.

Applications in Progress
If an application for recognition is in progress at the point of exit, the application should, as far as possible, be processed in the UK under the pre-Exit regulations.

Professionals Already Registered
The Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019 ensures that recognition decisions already made are protected and remain valid.

However, this does not necessarily offer ‘lifelong protection’. Professionals should be aware that if they allow their registration to lapse for a significant period of time, they may be required to re-apply for registration and be “re-recognised”. If a regulator considered a previous recognition decision was no longer valid and under their rules the qualifications needed to be reassessed, then the regulator would need to process the new application under the new post-Exit recognition system.
Applications Made After Exit
Farriers seeking recognition in the UK after exit should contact the relevant competent authority directly for guidance on the registration procedure.

Situation in the event of a “No Deal” Brexit – Recognition in the UK: Other Professions

A number of professions are covered by the Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019 as laid by BEIS, well as separate legislation covering specific provision for their profession. This includes:

- The Services of Lawyers and Lawyer’s Practice (Revocation etc.) (EU Exit) Regulations 2019
- The Statutory Auditors and Third Country Auditors (Amendment) (EU Exit) Regulations 2019

For professionals wishing to work or continue working in these sectors, the relevant legislation should be considered in conjunction with the Recognition of Professional Qualifications (Amendments etc.) (EU Exit) Regulations 2019.
Case Studies

Case Study 1
You run a practice of physiotherapists in the UK and want to employ an individual who trained in an EU Member State.

1. Which body should you direct the applicant to contact?
The individual will need to be registered with the Health and Care Professions Council and should contact the HCPC to begin recognition procedures.

2. How will the UK authority process the application?
If the application is made after exit day, the professional will be covered under The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 legislation. HCPC will be obliged to recognise their qualification if it is equivalent in level, scope and content to UK training.

3. What possible decisions could the UK authority give?
HCPC could choose to recognise the qualification and permit the person to practice.

The authority may choose not to recognise the qualification if it does not meet UK standards and the authority will no longer be required to offer “compensation measures” to enable the person to demonstrate that they have met any identified gaps in their skills.

4. Are there other considerations a business should be aware of?
This information covers the recognition of a person's professional qualification; issues such as their visa status are covered under separate government guidance. Please visit www.gov.uk for up to date information on hiring employees from the EU for related guidance.

Case Study 2
You employ electricians and want to send a team to work on a job in Germany.

1. Which body do you need to contact so that they will be legally able to work on the job in Germany?
This will depend on the Bundesland (Federal State) within Germany, as Germany regulates most professions at a regional level. To determine the correct authority you can contact the assistance centre in Germany (for contact details, visit the Free movement of professionals homepage)

2. What process will the authority follow?
In a No-Deal scenario, German regulators are under no obligation to provide a mechanism for professionals wishing to provide services on a temporary basis for individuals established in the UK. Your team may need to fully register with the appropriate German authority in order to legally work. This will follow the national procedures for the recognition on non-EU professionals as determined by the German authorities.
3. What possible decisions will the authority give?

The authorities could decide to permit the team to work, or reject the applications. They are under no obligation to recognise non-EU qualified professionals.
Checklist

- Determine where the person gained their professional qualification
  - Were they trained in the UK (regardless of citizenship)?
  - Were they trained in the EU?
  - Were they trained in a third country, outside the EU?
    - If so, they will need to obtain recognition through “third country” routes

- Contact the regulator for the profession
  - For the UK, visit the UK NARIC Centre for Professional Qualifications website for a list of professional regulators (competent authorities)
  - For the EU, contact the National Assistance Centre in the country where the person will be working, or visit the EU Database of Regulated Professions

- Use your network
  - Are you sending a person to work in another branch of your company? Ask that branch to contact the local regulator for the profession for assistance

- Collect the document you need to apply for registration / licensing
  - Depending on the person’s experience and the requirements of the regulator, you may need to supply:
    - Evidence of formal training (diploma/certificate and course modules or content)
    - Evidence of work experience in the profession (in particular, if the profession is not regulated in the home country)
    - Evidence of registration (if the profession is regulated in the home country)
    - Evidence of identity
    - Evidence of absence of criminal record
    - Evidence of good character/repute/non-bankruptcy
    - Evidence of absence of a suspension or prohibition from practice
    - Evidence of insurance coverage

This list is not exhaustive, and other documents may be required.
Useful Links and Contacts

UK NARIC Centre for Professional Qualifications
Website: www.naric.org.uk/cpq
Email: cpq@naric.org.uk
Tel: 01242 258 608

UK Single Market Centre
Website: https://www.gov.uk/government/groups/uk-single-market-centre
Email: uksinglemarketcentre@beis.gov.uk

SOLVIT:
Website: http://ec.europa.eu/solvit/index_en.htm
Email: SOLVIT@bis.gsi.gov.uk

European Commission (Free Movement of Professionals)
• Free movement of professionals homepage
• Regulated Professions Database
• User guide - Directive 2005/36/EC - Everything you need to know about the recognition of professional qualifications
• Withdrawal of the United Kingdom and EU Rules in the Field of Regulated Professions and the Recognition of Professional Qualifications

United Kingdom
• Get ready for Brexit homepage
• Selling services to the EU, Switzerland, Norway, Iceland and Liechtenstein after Brexit
• Selling services country guides
• Brexit guidance for businesses
• Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019
• European Union (Recognition of Professional Qualifications) Regulations 2015
• The European Communities (Recognition of Professional Qualifications) Regulations 2007
• The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019
• The European Qualifications (Health and Social Care Professions) Regulations 2016
• The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019
• Architects Act 1997
• The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019
• The Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019
• The Services of Lawyers and Lawyer’s Practice (Revocation etc.) (EU Exit) Regulations 2019
• The Statutory Auditors and Third Country Auditors (Amendment) (EU Exit) Regulations 2019
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