

Professional Qualifications Bill [HL]

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Amendments marked ★ are new or have been altered]

Amendment
No.

Before Clause 1

LORD FOX
LORD PURVIS OF TWEED

1★ Insert the following new Clause—

“Purpose of this Act

- (1) The purpose of this Act is to give regulators the necessary powers to ensure demand for professions can be met in the United Kingdom.
- (2) Nothing in this Act affects the independent process of defining the accreditation processes of the regulators.”

Member’s explanatory statement

This amendment underpins the principle that the process of defining the accreditation processes rests with the regulators.

Clause 1

LORD GRIMSTONE OF BOSCOBEL

2 Page 1, line 4, after “or (3)” insert “and any other specified condition”

Member’s explanatory statement

This amendment would enable regulations to specify additional conditions that must be met by an individual in order to be treated as if they have a specified UK qualification or specified UK experience.

3 Page 1, line 11, leave out “overseas qualifications or overseas experience demonstrate” and insert “individual has”

Member's explanatory statement

This amendment alters the determination that must be made by a regulator in order for an individual to meet the condition in subsection (2) of the Clause so that the determination relates to the knowledge and skills of the individual.

BARONESS GARDEN OF FROGNAL

4★ Page 1, line 12, leave out “substantially”

5★ Page 1, line 13, leave out “substantially”

LORD GRIMSTONE OF BOSCOBEL

6 Page 1, line 19, leave out “overseas qualifications or overseas experience fall short of demonstrating” and insert “individual does not have”

Member's explanatory statement

This amendment alters the determination that must be made by a regulator in order for an individual to meet the condition in subsection (3) of the Clause so that the determination relates to the knowledge and skills of the individual.

BARONESS GARDEN OF FROGNAL

7★ Page 1, line 20, leave out “substantially”

8★ Page 1, line 21, leave out “substantially”

BARONESS NOAKES

9★ Page 2, line 2, at end insert –

“(iii) that the conditions mentioned in sub-paragraph (ii) can be met without imposing unreasonable costs or other burdens on the specified regulator or on individuals who are already qualified to practise the specified regulated profession, and”

Member's explanatory statement

The amendment adds an additional determination requirement related to the costs and other burdens involved in dealing with overseas professional qualifications which fall short of the standards of the relevant UK qualifications.

LORD GRIMSTONE OF BOSCOBEL

10 Page 2, line 5, at end insert –

“(3A) For the purposes of subsections (1) to (3) –

- (a) a condition may be specified under subsection (1) whether or not it is connected to the specified UK qualification or specified UK experience concerned, and
- (b) a determination mentioned in subsection (2)(b) or (3)(b)(i) may be made –
 - (i) only on the basis of the overseas qualifications or overseas experience concerned, or
 - (ii) on such other basis as the specified regulator considers appropriate (including the results of any test or other assessment given by any person).”

Member's explanatory statement

This amendment makes provision about the additional conditions that may be specified in regulations as a result of the Minister's first amendment and makes provision about the basis on which a determination mentioned in subsection (2)(b) or (3)(b)(i) of the Clause may be made.

LORD LANSLEY

As an amendment to amendment 10

11 In subsection (3A)(b)(i), leave out “only”

LORD PALMER OF CHILDS HILL

12★ Page 2, line 5, at end insert –

“(3A) An individual does not meet the conditions in subsection (2) or (3) if a specified regulator of the specified regulated profession has made a determination –

- (a) that the overseas qualifications or overseas experience fall short of demonstrating substantially the same knowledge and skills, to substantially the same standard, as are demonstrated by the specified UK qualification or the specified UK experience, and
- (b) that in the judgement of the UK regulator, the deficiency mentioned in paragraph (a) could not be made up by the individual obtaining such further qualifications or experience or meeting such further condition as is set out in the determination without unreasonable cost, time or resource.”

Member's explanatory statement

This amendment states that regulators will not be required to provide bridging measures to applicants where overseas qualifications do not meet the required standard if the regulator believes it will involve an unreasonable cost, time or resource burden on the regulator to enable the applicant to meet the required level.

BARONESS MCINTOSH OF PICKERING

LORD HOPE OF CRAIGHEAD

13 Page 2, line 8, at end insert –

“(4A) Before regulations under subsection (4) may be laid before Parliament, Senedd Cymru, the Scottish Parliament or the Northern Ireland Assembly, the appropriate national authority must undertake a formal consultation with the devolved administrations, regulators and the Lord President of the Court of Session.”

LORD FOULKES OF CUMNOCK

14 Page 2, line 23, at end insert –

“(5A) The appropriate national authority must consult such persons as it considers appropriate when preparing regulations under subsection (1).”

Clause 1 - continued

BARONESS HAYTER OF KENTISH TOWN
 LORD HUNT OF KINGS HEATH
 LORD PATEL
 LORD HOPE OF CRAIGHEAD

15

Page 2, line 23, at end insert –

- “(5A) Regulations under this section relating to priority professions may not be made unless –
- (a) they have been published in draft form, and
 - (b) the relevant regulators have been consulted on them for a period of three months beginning with the day on which they are published.
- (5B) In this section “priority professions” means –
- (a) healthcare professionals,
 - (b) social workers,
 - (c) teachers, and
 - (d) veterinary surgeons and veterinary nurses.
- (5C) In this section, the relevant regulators are –
- (a) Nursing and Midwifery Council,
 - (b) General Medical Council,
 - (c) General Pharmaceutical Council,
 - (d) Health and Care Professions Council,
 - (e) General Optical Council,
 - (f) General Dental Council,
 - (g) Pharmaceutical Society of Northern Ireland,
 - (h) General Osteopathic Council,
 - (i) General Chiropractic Council,
 - (j) Social Work England,
 - (k) Scottish Social Services Council,
 - (l) Social Care Wales,
 - (m) Northern Ireland Social Care Council,
 - (n) Teaching Regulation Agency,
 - (o) General Teaching Council for Scotland,
 - (p) Education Workforce Council,
 - (q) General Teaching Council for Northern Ireland, and
 - (r) Royal College of Veterinary Surgeons.”

Clause 1 - continued

BARONESS MCINTOSH OF PICKERING
LORD HOPE OF CRAIGHEAD

16 Page 2, line 28, at end insert –

“(7) The appropriate national authority must seek reciprocal arrangements with other jurisdictions, including individual Member States of the European Union, for those with UK qualifications; as well as in the context of future Trade Agreements and continuing negotiations with the European Union in the context of the UK-EU Trade and Cooperation Agreement.”

LORD HUNT OF KINGS HEATH

Lord Hunt of Kings Heath gives notice of his intention to oppose the Question that Clause 1 stand part of the Bill.

Clause 2

BARONESS HAYTER OF KENTISH TOWN

17 Page 2, leave out line 34 and insert “fulfilling a domestic skills shortage in the profession or implementing any international recognition agreement,”

LORD LANSLEY

18 Page 2, line 35, leave out “without unreasonable delays or charges”

BARONESS HAYTER OF KENTISH TOWN

19 Page 2, line 36, at end insert –

“(2A) In considering whether the condition in subsection (2) is met, the appropriate national authority must consult representatives of consumer interests.”

BARONESS HAYTER OF KENTISH TOWN
BARONESS FINLAY OF LLANDAFF
LORD HUNT OF KINGS HEATH
BARONESS BENNETT OF MANOR CASTLE

20 Page 2, line 36, at end insert –

“(2A) Where the appropriate national authority considers that a skills shortage is relevant to its consideration of whether the condition in subsection (2) is met, it must consult with relevant regulators before making regulations.”

21 Page 2, line 36, at end insert –

“(2A) Where the appropriate national authority considers that the condition in subsection (2) is met owing to a skills shortage in the United Kingdom, the authority must publish a report with the draft regulations which includes –

- (a) how the appropriate national authority is investing in skills domestically to address the shortage;
- (b) how the appropriate national authority is upskilling those currently working in the profession to address the shortage;

Clause 2 - continued

- (c) how many overseas workers started working in the profession in the United Kingdom, or in the part of the United Kingdom to which the regulations relate, in the previous year;
- (d) how many people who work in the profession in the United Kingdom, or in the part of the United Kingdom to which the regulations relate, are—
 - (i) female, and
 - (ii) male;
- (e) workforce modelling and skills forecasting used to identify the shortage;
- (f) current vacancy levels in the profession;
- (g) retention rates in the profession;
- (h) what consultation has taken place with regulators;
- (i) other arrangements which might fulfil the skills shortage.”

After Clause 2

BARONESS HAYTER OF KENTISH TOWN
LORD TREES

22

Insert the following new Clause—

“International recognition agreements: consultation

- (1) This section applies where a Minister of the Crown is negotiating, or preparing to negotiate, an international agreement on behalf of the United Kingdom which might constitute an international recognition agreement.
- (2) Before commencing negotiations or, where negotiations have begun, as soon as possible after this section applies, a Minister of the Crown must consult the relevant regulator and then publish negotiating objectives.
- (3) A Minister of the Crown must consult the relevant regulator regularly while conducting negotiations.
- (4) If the Secretary of State lays a report before Parliament under section 42 of the Agriculture Act 2020 in relation to a free trade agreement to which this section has applied, the report must include how standards in the relevant areas are maintained through the recognition of professional qualifications in the agreement.
- (5) When a Minister of the Crown lays an international recognition agreement before Parliament under Part 2 of the Constitutional Reform and Governance Act 2010, a Minister of the Crown must publish an impact assessment which includes an assessment of how regulatory independence is maintained in relation to the recognition of professional qualifications in the agreement.
- (6) An “international recognition agreement” means so much of any international agreement as provides for, or relates to, the recognition of overseas qualifications or overseas experience for the purpose of determining whether individuals are entitled to practise a regulated profession in the United Kingdom or a part of it.”

Clause 3

LORD FOULKES OF CUMNOCK

23 Page 3, line 7, leave out paragraph (c)

BARONESS MCINTOSH OF PICKERING
LORD HOPE OF CRAIGHEAD

24 Page 3, line 11, at end insert –

“(3A) Before regulations under subsection (3) may be laid before Parliament, Senedd Cymru, the Scottish Parliament or the Northern Ireland Assembly, the appropriate national authority must undertake a formal consultation with the devolved administrations, regulators and the Lord President of the Court of Session.”

LORD FOULKES OF CUMNOCK

25 Page 3, line 11, at end insert –

“(3A) The appropriate national authority must consult such persons as it considers appropriate when preparing regulations under subsection (1).”

BARONESS HAYTER OF KENTISH TOWN
LORD TREES

26 Page 3, line 11, at end insert –

“(3A) Regulations under this section may not implement any international recognition agreement, or any part of such an agreement, which undermines the independence and autonomy of a regulator of a regulated profession.”

BARONESS HAYTER OF KENTISH TOWN
LORD PATEL
LORD HUNT OF KINGS HEATH
LORD HOPE OF CRAIGHEAD

27 Page 3, line 11, at end insert –

“(3A) Regulations under this section relating to priority professions may not be made unless –

- (a) they have been published in draft form, and
- (b) the relevant regulators have been consulted on them for a period of three months beginning with the day on which they are published.

(3B) In this section “priority professions” means –

- (a) healthcare professionals,
- (b) social workers,
- (c) teachers, and
- (d) veterinary surgeons and veterinary nurses.

(3C) In this section, the relevant regulators are –

- (a) Nursing and Midwifery Council,
- (b) General Medical Council,
- (c) General Pharmaceutical Council,
- (d) Health and Care Professions Council,

Clause 3 - continued

- (e) General Optical Council,
- (f) General Dental Council,
- (g) Pharmaceutical Society of Northern Ireland,
- (h) General Osteopathic Council,
- (i) General Chiropractic Council,
- (j) Social Work England,
- (k) Scottish Social Services Council,
- (l) Social Care Wales,
- (m) Northern Ireland Social Care Council,
- (n) Teaching Regulation Agency,
- (o) General Teaching Council for Scotland,
- (p) Education Workforce Council,
- (q) General Teaching Council for Northern Ireland, and
- (r) Royal College of Veterinary Surgeons.”

BARONESS NOAKES
BARONESS HAYTER OF KENTISH TOWN

28 Page 3, line 11, at end insert –

“(3A) Regulations under this section may permit but may not require a regulator or any other person to recognise overseas qualifications or overseas experience for the purpose of determining whether individuals are entitled to practise a regulated profession in the UK or part of it.”

Member’s explanatory statement

This ensures that regulated professions are not required to recognise individuals or experience, for example if they do not meet the regulatory body’s recognition standards.

LORD FOX
LORD TREES
LORD HUNT OF KINGS HEATH
BARONESS NOAKES

The above-named Lords give notice of their intention to oppose the Question that Clause 3 stand part of the Bill.

Clause 4

BARONESS HAYTER OF KENTISH TOWN

29 Page 3, line 25, at end insert “, provided that the regulator has a consumer representative on its board.”

BARONESS NOAKES

30★ Page 3, line 25, at end insert –

“(1A) Regulations made under subsection (1) may not require a regulator of a regulated profession to enter into a regulator recognition agreement.”

Member's explanatory statement

This is a probing amendment in connection with the extent of the rule making power.

BARONESS HAYTER OF KENTISH TOWN

- 31★ Page 3, line 36, after “qualifications” insert “approved by the regulator of the regulated profession”

BARONESS NOAKES

- 32★ Page 3, line 36, after “qualifications” insert “approved by the overseas regulator”

BARONESS GARDEN OF FROGNAL

- 33★ Page 4, line 2, leave out “substantially”

LORD HUNT OF KINGS HEATH

Lord Hunt of Kings Heath gives notice of his intention to oppose the Question that Clause 4 stand part of the Bill.

After Clause 4

BARONESS HAYTER OF KENTISH TOWN

LORD PALMER OF CHILDS HILL

- 34 Insert the following new Clause—

“Recognition of foreign auditors and foreign audit qualifications

- (1) Section 1221 of the Companies Act 2006 (approval of overseas qualifications) is amended as follows.
- (2) In subsection (1A)(a), for “covers all” substitute “sufficiently covers”.
- (3) In subsection (91A)(b), for “covers all” substitute “sufficiently covers”.
- (4) In subsection (1B), for “is” substitute “may be”.
- (5) In subsection (3), for “equivalent” substitute “sufficiently comparable”.
- (6) In subsection (5), after “qualifications” insert “or experience”.
- (7) In subsection (7A)(a)(ii), after “not” insert “sufficiently”.

Member's explanatory statement

This new Clause amends the Companies Act 2006 such that the Financial Reporting Council, the statutory regulator for audit, would gain greater discretion over which foreign auditors and foreign audit qualifications could be accepted in the UK.

Clause 5

BARONESS MCINTOSH OF PICKERING

LORD HOPE OF CRAIGHEAD

- 35 Page 4, line 14, at end insert—

- “(3) Before regulations under subsection (2) may be laid before Parliament, Senedd Cymru, the Scottish Parliament or the Northern Ireland Assembly, the appropriate national authority must undertake a formal consultation with the devolved administrations, regulators and the Lord President of the Court of Session.”

Clause 5 - continued

LORD FOULKES OF CUMNOCK

36 Page 4, line 14, at end insert –

“(3) The appropriate national authority must consult such persons as it considers appropriate when preparing regulations under subsection (2).”

LORD PALMER OF CHILDS HILL

LORD FOX

BARONESS BENNETT OF MANOR CASTLE

37 Page 4, line 14, at end insert –

“(3) Nothing in this section affects individuals whose qualifications were recognised by virtue of the European Union (Recognition of Professional Qualifications) Regulations 2015 before subsection (1) comes into force.”

Member’s explanatory statement

This amendment makes it explicit that qualifications recognised before the EU regulations were revoked are not affected.

BARONESS MCINTOSH OF PICKERING

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 5 stand part of the Bill.

Clause 6

LORD FOULKES OF CUMNOCK

38 Page 4, line 17, at end insert –

“(1A) The appropriate national authority must consult such persons as it considers appropriate when preparing regulations under subsection (1).”

BARONESS MCINTOSH OF PICKERING

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 6 stand part of the Bill.

Clause 7

LORD FOULKES OF CUMNOCK

39 Page 4, line 41, at end insert –

“(d) publish advice and information about immigration requirements for entry to the United Kingdom for purposes of practising a regulated profession.”

Clause 7 - continued

BARONESS MCINTOSH OF PICKERING
LORD HOPE OF CRAIGHEAD

40 Page 4, line 41, at end insert –

“(1A) Before advice or information is published under subsection (1)(c), the Secretary of State must undertake a formal consultation with the devolved administrations and regulators.”

LORD FOULKES OF CUMNOCK

41 Page 4, line 41, at end insert –

“(1A) Before making arrangements under subsection (1), the Secretary of State must seek the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland.

(1B) If consent to the making of the arrangements is not given by any of those authorities within the period of one month beginning with the day on which it is sought from that authority, the Secretary of State may make the arrangements without that consent.

(1C) If arrangements are made in reliance on subsection (1B), the Secretary of State must publish a statement explaining why the Secretary of State decided to make the arrangements without the consent of the authority or authorities concerned.”

BARONESS RANDERSON

42 Page 4, line 41, at end insert –

“(1A) Before making the arrangements, the Secretary of State must consult the devolved authorities on the functions and operations of the assistance centre.”

Member’s explanatory statement

This amendment would require the Secretary of State to undertake consultation with the Devolved Authorities on the functions and operations of the Assistance Centre before it comes into being.

LORD FOX

43 Page 5, line 8, leave out subsection (4)

Member’s explanatory statement

This amendment is to probe the intention of this subsection.

LORD FOULKES OF CUMNOCK

44 Page 5, line 15, leave out “taken into account” and insert “considered a defence”

BARONESS HAYTER OF KENTISH TOWN
BARONESS NOAKES

The above-named Lords give notice of their intention to oppose the Question that Clause 7 stand part of the Bill.

Clause 8

BARONESS NOAKES

45 Page 5, line 35, at end insert –

“(1A) Subsection (1) does not apply to a regulator of a regulated profession if –

- (a) the regulator oversees the regulation of a regulated profession carried out by another person or persons,
- (b) the regulator is satisfied that the information required by this section is available on the website of that other person or persons, and
- (c) the regulator’s website states where the information may be found.”

Member’s explanatory statement

This makes provision for a regulator which does not regulate a profession directly but oversees the regulation carried out by other professional bodies.

Clause 9

BARONESS NOAKES

46 Page 7, line 35, at end insert –

“(2A) If the first regulator –

- (a) oversees the regulation of a regulated profession carried out by another person or persons, and
- (b) does not itself hold all or any of the information covered by subsection (2),

the first regulator must seek to ensure that the information is provided by that other person or persons to the second regulator.”

Member’s explanatory statement

This makes provision for a regulator which does not regulate a profession directly but oversees the regulation by another body to receive the required information provided by that professional body.

LORD FOULKES OF CUMNOCK

LORD HOPE OF CRAIGHEAD

47 Page 7, line 42, leave out “taken into account” and insert “considered a defence”

BARONESS GARDEN OF FROGNAL

48★ Page 7, line 46, leave out “substantially”

BARONESS HAYTER OF KENTISH TOWN

BARONESS RANDERSON

49 Page 7, line 47, at end insert –

- “(6) Nothing in this section affects the establishment or operation of a common framework agreement relating to professional qualifications.
- (7) A “common framework agreement” is any agreement between a Minister of the Crown and one or more devolved authorities as to how devolved or transferred matters previously governed by EU law are to be regulated.”

Clause 9 - continued

BARONESS MCINTOSH OF PICKERING

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 9 stand part of the Bill.

Clause 10LORD FOULKES OF CUMNOCK
LORD HOPE OF CRAIGHEAD

50 Page 8, line 44, leave out “taken into account” and insert “considered a defence”

BARONESS GARDEN OF FROGNAL

51★ Page 9, line 2, leave out “substantially”

After Clause 10LORD PALMER OF CHILDS HILL
BARONESS BENNETT OF MANOR CASTLE

52 Insert the following new Clause—

“Report on the impact of this Act on SMEs

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the impact of this Act on small and medium-sized enterprises (“SMEs”).
- (2) The report must include but is not limited to—
 - (a) the financial implications of the Act for SMEs in the United Kingdom, and
 - (b) the impact of the change in mutual recognition of qualifications on workforce availability for SMEs.”

Member’s explanatory statement

This amendment would require a report on the impact of this Act on SMEs.

LORD FOX

53 Insert the following new Clause—

“Report on the impact of this Act on innovation

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the impact of this Act on innovation in the United Kingdom.
- (2) The report must include but is not limited to—
 - (a) the impact of the change in mutual recognition of qualifications on innovation;
 - (b) the impact of changes in workforce availability as a result of this Act on horizon scanning and the creation of new industries in the United Kingdom.

After Clause 10 - continued

- (3) The report must make a recommendation as to whether further action is needed from the Government to ensure the United Kingdom remains a centre for innovation.”

Member’s explanatory statement

This amendment would require a report on the impact of the Act on innovation in the UK.

54 Insert the following new Clause—

“Report on financial impact on regulators and applicants

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the impact of this Act on regulators and applicants.
- (2) The report must include but is not limited to the financial impact of any fees introduced as a consequence of this Act on—
- (a) regulators, and
 - (b) individuals seeking to practise a regulated profession in the United Kingdom.”

Member’s explanatory statement

This amendment would require a report on the financial impact of this Act on regulators and applicants.

BARONESS BENNETT OF MANOR CASTLE

55★ Insert the following new Clause—

“Report on impact

- (1) Within two years of the day on which this Act is passed, and every five years thereafter, the Secretary of State must lay before Parliament a report on the impact of this Act taking account of the following factors—
- (a) how this Act has helped skill shortages in the United Kingdom to be addressed, including but not limited to medical, construction and food production sectors;
 - (b) how immigration rules have assisted or prevented the aims of this Act being achieved;
 - (c) how many skilled professional people have immigrated to meet demand for the services of a profession in the United Kingdom, and how much overseas development the United Kingdom has given to help develop professional services in the countries from which such people originate, including support for education and professional bodies;
 - (d) the extent to which the demand for the services of doctors, nurses and associated health professionals in the United Kingdom is met by training in the United Kingdom.
- (2) Within two months of the day on which each report is laid, a Minister of the Crown must table a motion in the House of Lords to take note of the report.”

Clause 13

LORD LANSLEY

56 Page 10, line 18, at end insert –

“(1A) The power to make regulations under section 3 does not include power to modify legislation, other than subordinate legislation.”

Member’s explanatory statement

This amendment would limit the power to implement international recognition agreements and require changes to statute to be implemented by primary legislation.

LORD HUNT OF KINGS HEATH

LORD PATEL

LORD FOX

The above-named Lords give notice of their intention to oppose the Question that Clause 13 stand part of the Bill.

Clause 14

LORD PURVIS OF TWEED

BARONESS RANDESON

57★ Leave out Clause 14 and insert the following new Clause –

“Authority by whom regulations may be made

- (1) In this Act “appropriate national authority” means as follows.
- (2) Where the regulations –
 - (a) contain provision relating to England only,
 - (b) apply to the United Kingdom as a whole, or
 - (c) contain provision which is not within the legislative competence of Senedd Cymru, the Scottish Parliament or the Northern Ireland Assembly,

the Secretary of State or the Lord Chancellor is the appropriate national authority.
- (2) The Welsh Ministers are the appropriate national authority in relation to regulations under this Act which contain only provision which would be within the legislative competence of Senedd Cymru if contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown).
- (3) The Scottish Ministers are the appropriate national authority in relation to regulations under this Act which contain only provision which would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament.
- (4) A Northern Ireland department is the appropriate national authority in relation to regulations under this Act which contain only provision which, if contained in an Act of the Northern Ireland Assembly –
 - (a) would be within the legislative competence of the Assembly, and
 - (b) would not require the consent of the Secretary of State.

Clause 14 - continued

- (5) The consent of a Minister of the Crown is required before any provision is made by the Welsh Ministers in regulations under this Act so far as that provision, if contained in an Act of Senedd Cymru, would require the consent of a Minister of the Crown.
- (6) In this section “Minster of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.”

Member’s explanatory statement

This amendment would mean that the Secretary of State would only make regulations under this Act if they relate to England or the whole of the UK, or are outside the legislative competencies of the Devolved Administrations.

Clause 15

BARONESS RANDERSON
BARONESS BENNETT OF MANOR CASTLE

58 Page 11, leave out lines 10 to 13

Member’s explanatory statement

This amendment would mean all regulations made under the Act are subject to the affirmative procedure.

After Clause 15

LORD HUNT OF KINGS HEATH
LORD PATEL

59 Insert the following new Clause –

“Expiry

- (1) The appropriate national authority may not make regulations under this Act after a period of four years beginning with the day on which this Act is passed.
- (2) Any regulations made under this Act expire on the day after that period.”

BARONESS BLAKE OF LEEDS
LORD PATEL
LORD HOPE OF CRAIGHEAD
LORD HUNT OF KINGS HEATH

60 Insert the following new Clause –

“Protection for existing recognised qualifications

Nothing in this Act prevents, qualifies or otherwise affects the ability of those with existing recognised qualifications to continue practising the profession to which the qualifications relate in the United Kingdom or any part of the United Kingdom.”

Clause 16

LORD PALMER OF CHILDS HILL

- 61★ Page 12, line 40, at end insert “, or a chartered accountancy profession (see subsection (3A)(a)).”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Palmer of Childs Hill to page 13, line 19.

- 62★ Page 12, line 44, at end insert “, or a chartered accountancy regulator (see subsection (3A)(b)).”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Palmer of Childs Hill to page 13, line 19.

BARONESS HAYTER OF KENTISH TOWN
BARONESS NOAKES

- 63 Page 13, line 11, leave out subsection (3) and insert –
- “(3) For the purposes of this Act, a regulator is a regulator of a regulated profession if it is listed in Schedule (*Regulators of regulated professions*).
- (3A) The appropriate national authority or the Secretary of State may by regulations amend Schedule (*Regulators of regulated professions*) so as to insert additional regulators.”

LORD PALMER OF CHILDS HILL

- 64★ Page 13, line 19, at end insert –
- “(3A) For the purposes of this Act –
- (a) “chartered accountancy profession” means an accountancy profession that is voluntarily regulated by a chartered accountancy regulator;
- (b) “chartered accountancy regulator” means the Institute of Chartered Accountants in England and Wales.”

Member’s explanatory statement

This amendment and the others in the name of Lord Palmer of Childs Hill to Clause 16 would include the chartered accountancy profession as a regulated profession, and chartered accountancy regulators as regulators in this bill. The amendments also define both the chartered accountancy profession and chartered accountancy regulator.

Clause 18

LORD PURVIS OF TWEED
LORD FOX

- 65 Page 13, line 32, leave out paragraph (c)

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Purvis of Tweed to page 14, line 6.

- 66 Page 14, line 1, at end insert –
“(aa) section 6;”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Lord Purvis of Tweed to page 14, line 6.

- 67 Page 14, line 6, at end insert –
“(5A) The day appointed for the coming into force of section 5(1) or 6 must not be within 12 months of the day on which this Act is passed.”

Member’s explanatory statement

This amendment, and the other amendments to Clause 18 in the name of Lord Purvis of Tweed, would mean Clause 5(1) and Clause 6 do not come into force until at least 1 year after the passing of this Act.

After Clause 19

BARONESS HAYTER OF KENTISH TOWN
BARONESS NOAKES

- 68 Insert the following new Schedule –
“REGULATORS OF REGULATED PROFESSIONS
- The following are regulators of regulated professions –
- Architects Registration Board
 - Bar Standards Board (England and Wales)
 - Capita Gas Registration and Ancillary Services Ltd
 - Care Quality Commission (England)
 - Chartered Institute of Legal Executives
 - Civil Aviation Authority
 - Costs Lawyer Standards Board
 - Council for Licensed Conveyancers
 - Department for Environment, Food and Rural Affairs
 - Department for Infrastructure (Northern Ireland)
 - Driver and Vehicle Agency Northern Ireland
 - Driver and Vehicle Standards Agency
 - Early Years Workforce Team
 - Education Workforce Council
 - Environment Agency
 - Faculty of Advocates
 - Faculty Office
 - Farriers Registration Council
 - Financial Reporting Council
 - Food Standards Agency

After Clause 19 - continued

Food Standards Scotland
General Chiropractic Council
General Dental Council
General Medical Council
General Optical Council
General Osteopathic Council
General Pharmaceutical Council
General Teaching Council for Northern Ireland
General Teaching Council for Scotland
Health and Care Professions Council
Health and Safety Authority for Northern Ireland
Health and Safety Executive
Highways England
Insolvency Service
Insolvency Service (NI)
Institute of Trade Mark Attorneys
Intellectual Property Regulation Board
Law Society of Northern Ireland
Law Society of Scotland
Maritime & Coastguard Agency
Northern Ireland Social Care Council
Office for Rail and Road
Pharmaceutical Society of Northern Ireland
Royal College of Veterinary Surgeons
Royal Society of Chemistry
Scottish Social Services Council
Security Industry Authority
Social Care Wales
Social Work England
Solicitors Regulation Authority (England & Wales)
Street Works Qualification Register
Teaching Regulation Agency
The Bar of Northern Ireland
The Department of Agriculture, Environment and Rural Affairs (Northern Ireland)
The Nursing & Midwifery Council

Traffic Commissioners for Great Britain as a tribunal of the Department for Transport

Waste Management Industry Training and Advisory Board”

Professional Qualifications Bill [HL]

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

4 June 2021
