
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2024 No. 1183 (W. 194)

**PROFESSIONAL
QUALIFICATIONS, WALES**

The Recognition of Professional
Qualifications and Implementation
of International Recognition
Agreements (Amendment)
(Extension to Switzerland and
Miscellaneous Provisions) (Wales)
Regulations 2024

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision under section 3(1) of the Professional Qualifications Act 2022 (c. 20) to implement in relation to Wales provisions relating to the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on Recognition of Professional Qualifications done at London on 14 June 2023 (“the Swiss Agreement”).

These Regulations amend the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294 (W. 230)) (“the 2023 Regulations”), which implemented Chapter 12 of the free trade agreement between Iceland, the Principality of Liechtenstein and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland done at London on 8 July 2021.

The amendments in Part 2 extend the application of the 2023 Regulations to the Swiss Confederation and amend the 2023 Regulations for the purpose of, and in connection with, implementing the Swiss Agreement in relation to the Welsh regulated professions, as defined by the 2023 Regulations. Part 2 also contains provisions to correct minor errors in the 2023 Regulations.

Part 3 contains amendments to sectoral legislation in relation to F-gas handler professions for the purpose of, and in connection with, implementing the Swiss Agreement.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

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Regulations 2024

Made 18 November 2024

Laid before Senedd Cymru 20 November 2024

Coming into force 1 January 2025

The Welsh Ministers, in exercise of the powers conferred by sections 3(1) and 13(1) of the Professional Qualifications Act 2022(1) (“the 2022 Act”), make the following Regulations.

In accordance with section 14 of the 2022 Act, the Welsh Ministers are satisfied that the Regulations do not remove the ability of any Welsh regulator of a Welsh regulated profession to prevent individuals who are unfit to practise the profession from doing so, and that the Regulations will not have a material adverse effect on any Welsh regulated profession in terms of the knowledge, skills or experience of the individuals practising it.

In accordance with section 15 of the 2022 Act, the Welsh Ministers have consulted with such Welsh regulators of Welsh regulated professions as the Welsh Ministers consider are likely to be affected by these Regulations or it is otherwise appropriate to consult.

(1) 2022 c. 20.

PART 1

General provisions

Title and coming into force

1. The title of these Regulations is the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) (Extension to Switzerland and Miscellaneous Provisions) (Wales) Regulations 2024 and they come into force on 1 January 2025.

Interpretation

2. In these Regulations—

“the 2023 Regulations” (“*Rheoliadau 2023*”) means the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023(1);

“the Swiss Agreement” (“*Cytundeb y Swistir*”) means the Agreement between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on Recognition of Professional Qualifications done at London on 14 June 2023(2).

PART 2

Amendments to the 2023 Regulations

Amendments to regulation 2 of the 2023 Regulations

3.—(1) Regulation 2 (interpretation) of the 2023 Regulations is amended as follows.

(2) For the definition of “adaptation period” substitute—

““adaptation period” (“*cyfnod ymaddasu*”) means—

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- (1) S.I. 2023/1294 (W. 230); amended by S.I. 2024/613 (W. 87) art. 14(a) and 14(b).
- (2) Published on 20th June 2023, ISBN 978-1-5286-4245-3, C.P. 869, a copy of which is available electronically at <https://www.gov.uk/government/publications/agreement-between-the-swiss-confederation-switzerland-and-the-uk-on-the-recognition-of-professional-qualifications>. A hard copy can be obtained free of charge on request by calling the Department for Business and Trade on 020 4551 0011 or may be inspected free of charge at Old Admiralty Building, Admiralty Place, London, SW1A 2DY.

- (a) in the case of an applicant who makes an application⁽¹⁾ in reliance on the holding of professional qualifications⁽²⁾ obtained in Switzerland, a period of supervised practice, subject to an assessment and which may be accompanied by further education or training, in a Welsh regulated profession⁽³⁾ under the responsibility of a qualified member of that profession;
- (b) in the case of an applicant who makes an application in reliance on the holding of professional qualifications obtained otherwise than in Switzerland, a period of supervised practice, subject to an assessment and which may be accompanied by further training, in a Welsh regulated profession under the responsibility of a qualified member of that profession;”.

(3) Omit ““specified” (“*penodedig*”) means specified in regulations;”.

Amendment to regulation 8 of the 2023 Regulations

4. In paragraph (6) of regulation 8 (procedure to be followed on application for recognition) of the 2023 Regulations, for “the United Kingdom”, substitute “England and Wales, Scotland or Northern Ireland”.

Amendment to regulation 11 of the 2023 Regulations

5. For regulation 11 (fees) of the 2023 Regulations substitute—

“Fees

11.—(1) A Welsh regulator⁽⁴⁾ may charge such fees as they consider appropriate in connection with an application.

(2) Any fees charged by a Welsh regulator in connection with an application must be—

- (a) reasonable and proportionate to the cost of the application, and

(1) “Applicant” and “application” are defined in regulation 2 of the 2023 Regulations.
(2) “Professional qualifications” is defined in regulation 2 of the 2023 Regulations.
(3) “Welsh regulated profession” is defined in regulation 2 of the 2023 Regulations.
(4) “Welsh regulator” is defined in regulation 2 of the 2023 Regulations.

(b) transparent and made public in advance.

(3) In the case of an applicant who makes an application in reliance on professional qualifications obtained in Switzerland, any fees must be payable by electronic means.

(4) In the case of an applicant who makes an application in reliance on professional qualifications obtained otherwise than in Switzerland, any fees must be payable by electronic means through the Welsh regulator’s website.”

Amendment to Schedule 2 to the 2023 Regulations

6. After paragraph 3 of Schedule 2 (the specified states) to the 2023 Regulations, insert—

“4. The Swiss Confederation”

PART 3

Amendments to legislation in relation to F-gas handler professions for the purpose of, and in connection with, implementing the Swiss Agreement

Amendments to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006

7. In Article 10 (training and certification) of Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006(1)—

- (a) in paragraph 10, for “an EEA EFTA state”, substitute “a specified state”;
- (b) for paragraph 16 substitute—

“16. For the purposes of this Article, a ‘specified state’ means a state specified in Schedule 2 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023.”

(1) EUR 2014/517, as amended by S.I. 2019/583, S.I. 2020/1616, S.I. 2023/1286 and S.I. 2023/1294 (W. 230).

Amendments to the Ozone-Depleting Substances Regulations 2015

8.—(1) The Ozone-Depleting Substances Regulations 2015⁽¹⁾ are amended as follows.

(2) Regulation 4 (meaning of “competent”) is renumbered as paragraph (1) of that regulation.

(3) In regulation 4(1) (as renumbered by paragraph (2))—

- (a) in sub-paragraphs (a) and (c)(ii), for “an EEA EFTA state”, substitute “a specified state”;
- (b) omit sub-paragraph (d);
- (c) insert a new paragraph (2)—

“(2) For the purposes of this regulation, a “specified state” means a state specified in Schedule 2 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023.”

(4) In regulation 6 (qualifications and supervision)—

- (a) in paragraph (5)(b)(i), for “4(a)” substitute “4(1)(a)”;
- (b) in paragraph (6)(a)(i), for “4(c)” substitute “4(1)(c)”.

(5) In the shoulder note to Schedule 2, for “4(a)” substitute “4(1)(a)”.

(6) In the shoulder note to Schedule 3, for “4(c)” substitute “4(1)(c)”.

Jack Sargeant

Minister for Culture, Skills and Social Partnership,
under the authority of the Cabinet Secretary for
Economy, Energy and Planning, one of the Welsh
Ministers

18 November 2024

(1) S.I. 2015/168, as amended by S.I. 2023/1294 (W. 230), S.I. 2019/583 and S.I. 2023/1286.