

SL(6)719 – The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Regulation and Inspection of Social Care) (Miscellaneous Amendments) (Wales) Regulations 2026

Background and Purpose

The Regulations amend the Regulation and Inspection of Social Care (Wales) Act 2016 (“the 2016 Act”) in relation to the implementation in relation to Wales of provisions relating to the recognition of professional qualifications contained in:

- (a) 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 EEA EFTA free trade agreement”), and
- (b) 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”).

The Regulations amend the 2016 Act to give effect, within the framework established for the regulation of social care workers in Wales, to the provisions relating to the recognition of professional qualifications contained in the EEA EFTA free trade agreement and the Swiss Agreement.

Procedure

Approval.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following two points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation

Regulation 3 inserts various defined terms into the 2016 Act. The definition of “adaptation period” includes reference to “supervised practice”, but this is not a term that is defined in the 2016 Act nor elsewhere in the Regulations. The Welsh Government is asked to confirm what constitutes “supervised practice” and explain why this is not explicitly set out.



2. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation

Regulation 12 inserts provision into the 2016 Act requiring the registrar to give notice of a decision in respect of registration or renewal by a specified state applicant (as defined in the Regulations) within four months after the date on which the application was submitted. The amendment goes on to say that where the registrar fails to give notice of a decision within that time period, that failure is to be treated as a decision of the registrar. It is not clear whether such failure would result in the decision being an approval or rejection of the application and the Welsh Government is invited to provide a further explanation in this regard.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

20 January 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee