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Report Stage: Monday 14 March 2022

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## Professional Qualifications Bill [Lords], As Amended

### (Report Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at report stage. A glossary with key terms can be found at the end of this document.

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Secretary Kwasi Kwarteng

Agreed to NC1

To move the following Clause—

**“Consultation with devolved authorities**

- (1) Before making regulations under this Act, the Secretary of State or the Lord Chancellor must consult—
  - (a) the Welsh Ministers, to the extent that the regulations contain provision which could also be made by the Welsh Ministers by virtue of section 16(2) (ignoring any requirement for the consent of a Minister of the Crown under section 16(5));
  - (b) the Scottish Ministers, to the extent that the regulations contain provision which could also be made by the Scottish Ministers by virtue of section 16(3);
  - (c) a Northern Ireland department, to the extent that the regulations contain provision which could also be made by a Northern Ireland department by virtue of section 16(4).
- (2) The Northern Ireland department which is to be consulted in accordance with subsection (1)(c) is such Northern Ireland department as the Secretary of State or (as the case may be) the Lord Chancellor considers appropriate having regard to the provision which is to be contained in the regulations concerned.
- (3) Before making regulations under this Act in relation to which the Secretary of State or the Lord Chancellor has consulted a devolved authority (or more than one devolved authority) in accordance with subsection (1), the Secretary of State or (as the case may be) the Lord Chancellor must publish a report on the consultation.
- (4) But the Secretary of State or (as the case may be) the Lord Chancellor may not publish the report unless either—
  - (a) the devolved authority concerned (or, if more than one, each of them) has agreed to the description included in the report for the purposes of subsection (5)(a), or

- (b) there is no such agreement but the period of 30 days, beginning with the day on which a draft of the report was first sent to the devolved authority concerned (or, if more than one, the last of them), has expired.
- (5) The report on the consultation must include—
- (a) a description of—
    - (i) the process undertaken in order to comply with subsection (1), and
    - (ii) any agreement, objection or other views expressed as part of that process by the devolved authority (or devolved authorities) concerned, and
  - (b) an explanation of whether and how such views have been taken into account in the regulations (including, in a case where the Secretary of State or (as the case may be) the Lord Chancellor proposes to make the regulations despite an objection, an explanation of the reasons for doing so).
- (6) The duty to consult in subsection (1) does not apply in relation to any revision of the regulations which arises from the consultation; and, for the purposes of subsection (4)(b), the draft report need not be identical to the published report for the period of 30 days to begin.
- (7) In this section “devolved authority” means the Scottish Ministers, the Welsh Ministers or a Northern Ireland department.”

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Wendy Chamberlain  
 Sarah Olney  
 Caroline Lucas  
 Stephen Farry  
 Claire Hanna  
 Christine Jardine

Not called NC2

To move the following Clause—

**“Authority by whom regulations may be made (No. 2)**

- (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.
- (3) 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).

- (4) 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.
- (5) 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.
- (6) 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.
- (7) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.”

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Bill Esterson

Not called NC3

To move the following Clause—

**“List of regulators and regulated professions**

- (1) The Secretary of State must publish a list of all regulators of regulated professions and the associated professions.
- (2) The list must be updated on a regular basis.”

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Bill Esterson

Not called NC4

To move the following Clause—

**“Guidance and assistance concerning mutual recognition**

Upon the request of a regulator, the Secretary of State must provide guidance and all reasonable assistance on how to make the most of the provisions in the EU-UK Trade and Co-operation Agreement.”

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Ben Lake  
Liz Saville Roberts  
Hywel Williams  
Owen Thompson

Not called NC5

To move the following Clause—

**“Consent of the devolved authorities**

- (1) Before making regulations under this Act, the Secretary of State or the Lord Chancellor must obtain the consent of—
  - (a) the Senedd, to the extent that the regulations contain provision which could also be made by the Welsh Ministers by virtue of

- section 16(2) (ignoring any requirement for the consent of a Minister of the Crown under section 16(5));
- (b) the Scottish Parliament, to the extent that the regulations contain provision which could also be made by the Scottish Ministers by virtue of section 16(3);
  - (c) the Northern Ireland executive, to the extent that the regulations contain provision which could also be made by a Northern Ireland department by virtue of section 16(4)."

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Wendy Chamberlain **Not called** **2**  
 Sarah Olney  
 Caroline Lucas  
 Stephen Farry  
 Claire Hanna  
 Ben Lake  
 Hywel Williams Liz Saville Roberts Christine Jardine

Clause 7, page 5, line 16, 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.”

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Wendy Chamberlain **Negatived on division** **3**  
 Sarah Olney  
 Caroline Lucas  
 Stephen Farry  
 Claire Hanna  
 Ben Lake  
 Hywel Williams Liz Saville Roberts Christine Jardine

Clause 7, page 5, line 16, at end insert—

“(1A) Before making the arrangements, the Secretary of State must ensure there are representatives from each of the devolved nations on the board of the assistance centre.”

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Wendy Chamberlain **Not called** **4**  
 Sarah Olney  
 Christine Jardine

Page 11, line 28, leave out Clause 16

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Secretary Kwasi Kwarteng

Agreed to 1

Clause 16, page 12, line 7, at end insert—

- “(7) In Schedule 7B to the Government of Wales Act 2006 (general restrictions on legislative competence of Senedd Cymru) in paragraph 11(6)(b) (exceptions to restrictions relating to Ministers of the Crown)—
- (a) omit the “or” at the end of paragraph (vi), and
  - (b) after paragraph (vii) insert “; or
  - (viii) the Professional Qualifications Act 2022”.”

*Bill read the third time and passed, with amendments, on division.*

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## Glossary

**Added:** New Clause agreed without a vote and added to the Bill.

**Agreed to:** agreed without a vote.

**Agreed to on division:** agreed following a vote.

**Negated:** rejected without a vote.

**Negated on division:** rejected following a vote.

**Not called:** debated in a group of amendments, but not put to a decision.

**Not moved:** not debated or put to a decision.

**Question proposed:** debate underway but not concluded.

**Withdrawn after debate:** moved and debated but then withdrawn, so not put to a decision.

**Not selected:** not chosen for debate by the Speaker.

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