



# Dentists Act 1984

## 1984 CHAPTER 24

### PART III

#### THE DENTAL PROFESSION

#### *[<sup>F1</sup>Insurance]*

#### **[<sup>F1</sup>26A. Indemnity arrangements**

- (1) A registered dentist who is practising as a dental practitioner must have in force in relation to him an indemnity arrangement which provides appropriate cover for practising as such.
- (2) For the purposes of this section, an “indemnity arrangement” may comprise—
  - (a) a policy of insurance;
  - (b) an arrangement made for the purposes of indemnifying a person;
  - (c) a combination of the two.
- (3) For the purposes of this section, “appropriate cover”, in relation to practice as a dental practitioner, means cover against liabilities that may be incurred in practising as such which is appropriate, having regard to the nature and extent of the risks of practising as such.
- (4) Rules may make provision in connection with the information to be provided to the registrar—
  - (a) by or in respect of a person seeking registration in the register for the purpose of determining whether, if his name is entered in the register, there will be in force in relation to him by the time he begins to practise an indemnity arrangement which provides appropriate cover;
  - (b) by or in respect of a person seeking restoration of his name in the register for the purpose of determining whether, if his name is restored in the register, there will be in force in relation to him by the time he resumes practice an indemnity arrangement which provides appropriate cover; and

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*Changes to legislation: Dentists Act 1984, Section 26A is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (c) by or in respect of a registered dentist seeking retention of his name in the register for the purpose of determining whether, if his name is retained in the register, there will continue to be in force in relation to him an indemnity arrangement which provides appropriate cover.
- (5) Rules may make provision requiring a registered dentist to inform the registrar if there ceases to be in force in relation to that dentist an indemnity arrangement which provides appropriate cover.
- (6) Rules may make provision requiring a registered dentist to inform the registrar if there is in force in relation to that registered dentist appropriate cover provided under an indemnity arrangement by an employer.
- (7) Rules made under subsection (4) may require the information mentioned there to be provided—
- (a) at the request of the registrar; or
  - (b) on such dates or at such intervals as the registrar may determine, either generally or in relation to individual dental practitioners or dental practitioners of a particular description.
- (8) Where a person fails to comply with rules made under subsection (4), or there is a failure to comply with rules made under subsection (4) in relation to him, the registrar may—
- (a) refuse to register his name in the register;
  - (b) refuse to restore his name to the register; or
  - (c) erase his name from the register.
- (9) Where a registered dentist is in breach of subsection (1) or fails to comply with rules made under this section—
- (a) the registrar may erase that person's name from the register; or
  - (b) the breach or failure may be treated as misconduct for the purposes of section 27(2)(a), and the registrar may accordingly refer the matter to the Investigating Committee under section 27(5)(a).
- (10) Where a person's name has been erased from the register under subsection (8)(c) or (9)(a), that name shall be restored to the register on that person's application, if he satisfies the registrar that he meets the requirements of—
- (a) section 15(3)(a) to (c);
  - (b) this section; and
  - (c) any rules made under section 34B which apply to that person's case.

<sup>F2</sup>(11) . . . . .]

#### Textual Amendments

- F1** S. 26A substituted (17.7.2014) by [The Health Care and Associated Professions \(Indemnity Arrangements\) Order 2014 \(S.I. 2014/1887\)](#), art. 1(2), **Sch. 1 para. 4**
- F2** S. 26A(11) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 3 para. 12** (with reg. 12A, Sch. 3 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 11(4)-(10)); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(2)(h)(i) inserted by [S.I. 2009/1182 Sch. 1 para. 7](#) (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 27(2)(ba) inserted by [S.I. 2015/806 art. 17](#)
- s. 27A(5)(aa) inserted by [S.I. 2015/806 art. 18\(3\)](#)
- s. 27BA inserted by [S.I. 2015/806 art. 19](#)
- s. 36N(2)(h)(i) inserted by [S.I. 2009/1182 Sch. 1 para. 8](#) (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 36N(2)(ba) inserted by [S.I. 2015/806 art. 24](#)
- s. 36O(5)(aa) inserted by [S.I. 2015/806 art. 25\(3\)](#)
- s. 36PA inserted by [S.I. 2015/806 art. 26](#)