
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Health Care and Associated Professions
(Knowledge of English) Order 2015**

PART 3

Dentists Act 1984

Assessment of necessary knowledge of English

26. After section 36P(1) insert—

“36PA. Assessment of necessary knowledge of English

(1) Subsection (2) applies where the Investigating Committee or a Practice Committee are considering an allegation under section 36N.

(2) The Investigating Committee or Practice Committee (as the case may be) may direct the person against whom the allegation was made to undergo an examination or other assessment of whether the person has the necessary knowledge of English.

(3) Subsection (4) applies where the Professional Conduct Committee are determining an application referred to them under section 36I(5).

(4) The Professional Conduct Committee may direct the person who made the application to undergo an examination or other assessment of whether the person has the necessary knowledge of English.

(5) A person of a description specified by rules may, in the circumstances specified by the rules, direct a person against whom an allegation under section 36N was made to undergo an examination or other assessment of whether the person has the necessary knowledge of English.

(6) An examination or other assessment under subsection (2) or (4), or by virtue of rules under subsection (5), must be made in accordance with rules.

(7) The rules must, in particular, provide for—

- (a) the procedures to be followed when directing a person to undergo an examination or other assessment;
- (b) the person undergoing an examination or other assessment to provide information in respect of the examination or assessment to such persons as may be prescribed by the rules;
- (c) for the information provided by virtue of paragraph (b) to be disclosed to such persons as may be prescribed by the rules.

(8) A Practice Committee may draw such inferences as seem appropriate to them if a person fails—

- (a) to undergo an examination or other assessment as directed under subsection (2) or (4) or by virtue of rules under subsection (5); or
- (b) to provide the information required by virtue of rules made under subsection (7) (b).”