
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Dentists Act 1984 (c.24) and to the Nursing and Midwifery Order 2001 (S.I. 2002/253) in relation to the registration of people with qualifications issued outside the United Kingdom as dentists, dental care professionals, nurses, nursing associates and midwives.

Article 2 and Schedule 1 make amendments to section 15 of the Dentists Act 1984 to provide a route for registration for persons who hold an overseas diploma in dentistry and satisfy the General Dental Council that they have the requisite knowledge and skill to join the dentist's register. New section 16A is inserted into the Dentists Act 1984 and provides rule making powers for the Council in respect of determining whether holders of overseas diplomas have the requisite knowledge and skills for registration including provision requiring the payment of fees to meet expenses incurred by the Council in determining whether the person has the requisite knowledge and skill. New section 16B makes provision for the Council to assess and recognise particular overseas diplomas as guaranteeing that persons holding them possess the requisite knowledge and skill to join the register. Section 16B further permits the Council to make rules concerning the recognition of overseas diplomas including provision requiring the payment of fees to meet expenses incurred in determining applications for the recognition of overseas diplomas. Section 16 of the Dentists Act 1984 is repealed.

In addition, Article 2 and Schedule 1 amend section 36C of the Dentists Act 1984 to provide that registration in the dental care professionals register cannot happen if the person applying for registration has a diploma in dentistry. New section 36CB is inserted into the Dentists Act 1984 and provides rule making powers for the Council in respect of determining whether holders of relevant qualifications have the requisite knowledge and skill for registration including provision requiring the payment of fees to meet expenses incurred by the Council in determining whether the person has the requisite knowledge and skill. New section 36CC makes provision for the Council to assess and recognise particular relevant qualifications as guaranteeing that persons holding them possess the requisite knowledge and skill to join the register. New section 36CC further permits the Council to make rules concerning the recognition of relevant qualifications including provision requiring the payment of fees to meet expenses incurred in determining applications for the recognition of relevant qualifications.

Article 3 and Schedule 2 make amendments to the Nursing and Midwifery Order 2001 enabling the Nursing and Midwifery Council to admit candidates to registration either by assessing their qualifications as meeting the necessary standards or by requiring the candidates to pass a test of competence.

Article 4 and Schedule 3 make amendments to the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004 and the General Dental Council (Overseas Registration Examination) Regulations 2015. The amendments to the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004 make provision about declarations of good health and good character for nurses and midwives. The amendments to the General Dental Council (Overseas Registration Examination) Regulations 2015 make provision to exclude, for the purpose of calculating the five year period in which Part 2 of the Overseas Registration Examination for dentists must be undertaken, the period of time beginning on 2nd April 2020 until the day after this Order comes into force to make an allowance for the time when it was not possible to undertake that examination. That five year period is extended by a further year for candidates who had secured a place to sit the examination on 2nd April 2020, and who had less than three months of that period remaining on that date.

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, *The Dentists, Dental Care Professionals, Nurses, Nursing Associates and Midwives (International Registrations) Order 2022* ISBN 978-0-348-23927-0

Article 5 and Schedule 4 make consequential amendments to the Health Care and Associated Professions (Knowledge of English) Order 2015.

Article 6 and Schedule 5 make saving provisions in respect of candidates who sit the Overseas Registration Examination within a year of this Order coming into force, and in respect of people who have made an application to go on to the dental care professionals register before this Order comes into force.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.