



Dentists Act 1984

1984 CHAPTER 24

[^{F1}PART 3A

PROFESSIONS COMPLEMENTARY TO DENTISTRY

[^{F1}Education and registration

Textual Amendments

- F1** Pt. 3A inserted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), [art. 29](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

36B. The dental care professionals register

- (1) There shall be a register of members of professions complementary to dentistry to be known as the dental care professionals register.
- [^{F2}(1A) The dental care professionals register shall contain particulars of persons who under section 36C are entitled to be registered in the dental care professionals register.]
- (2) The dental care professionals register shall be kept by the registrar.
- (3) Subsections (4) and (5) of section 14 apply to the register established under this section, and to the registrar's duties as keeper of that register, as they apply to the dentists register and to the registrar's duties in respect of the dentists register.
- (4) Rules may make provision relating to the form of the dental care professionals register and the manner in which it is to be kept.
- (5) A person may not be registered in the dental care professionals register except under one or more of the titles specified in regulations under section 36A(2).
- (6) A certificate purporting to be signed by the registrar, certifying that a person—

Status: Point in time view as at 31/12/2020.

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- (a) is registered in the dental care professionals register under a particular title,
 - (b) is not registered in that register under a particular title,
 - (c) was registered in that register under a particular title at a specified date or during a specified period,
 - (d) was not registered in that register under a particular title at a specified date or during a specified period, or
 - (e) has never been registered in that register under a particular title,
- shall be evidence (and in Scotland sufficient evidence) of the matters certified.

Textual Amendments

F2 S. 36B(1A) substituted (31.12.2020) by [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 3 para. 18** (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)

36C. Qualifications for registration

- (1) Subject to the provisions of this Act, a person shall be entitled to be registered under a particular title in the dental care professionals register if he satisfies the registrar—
 - [^{F3}(a) of matter A or C, and
 - (b) of matter D.]
- (2) Matter A is that the person holds a qualification or qualifications approved by the Council under section 36D(2) in relation to the profession, or class of members of a profession, to which the title applies.

^{F4}(3)

- (4) Matter C is that the person—
 - (a) holds a qualification or qualifications granted by an institution or institutions outside the United Kingdom relevant to the profession complementary to dentistry, or class of members of such a profession, to which the title applies (in this section referred to as “relevant qualifications”); [^{F5}and]
 - (b) has satisfied the Council that he has the requisite knowledge and skill to practise as a member of the profession or class to which the title applies; ^{F6}...
 - ^{F6}(c)

[Subsection (4)(b) does not apply to a person whose application for registration is made ^{F7}(4A) in reliance on a relevant qualification that—

- (a) was granted in a relevant European State, and
- (b) demonstrates, in the opinion of the Council, a comparable level of knowledge and skill to that demonstrated by a qualification approved (or qualifications together approved) in respect of the same profession or class under section 36D(2).]

- (5) For the purpose of establishing whether a person has the requisite knowledge and skill for the purposes of subsection (4)(b), the Council—
 - [^{F8}(a) shall take into account all that person's relevant qualifications, and all relevant knowledge or experience, wherever acquired, and

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(b) may determine that a person must perform to the satisfaction of the Council in any test or assessment specified in the determination.]

(6) Matter D is—

(a) the person’s identity;
[that he has the necessary knowledge of English;]

^{F9}(aa)

(b) that he is of good character; and

(c) that he is in good health, both physically and mentally.

^{F10}(6A)

^{F11}(6B)

^{F12}(7)

Textual Amendments

- F3** S. 36C(1)(a)(b) substituted (31.12.2020) by [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/593), reg. 1(2), **Sch. 3 para. 19(a)** (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)
- F4** S. 36C(3) 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. 19(b)** (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)
- F5** Word in s. 36C(4)(a) inserted (1.4.2016) by [The Health Care and Associated Professions \(Knowledge of English\) Order 2015](#) (S.I. 2015/806), arts. 1(3), **20(2)(a)**; S.I. 2015/1451, art. 5
- F6** S. 36C(4)(c) and word omitted (1.4.2016) by virtue of [The Health Care and Associated Professions \(Knowledge of English\) Order 2015](#) (S.I. 2015/806), arts. 1(3), **20(2)(b)**; S.I. 2015/1451, art. 5
- F7** S. 36C(4A) inserted (31.12.2020) by [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/593), reg. 1(2), **Sch. 3 para. 19(c)** (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)
- F8** S. 36C(5)(a)(b) substituted (31.12.2020) by [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/593), reg. 1(2), **Sch. 3 para. 19(d)** (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)
- F9** S. 36C(6)(aa) inserted (1.4.2016) by [The Health Care and Associated Professions \(Knowledge of English\) Order 2015](#) (S.I. 2015/806), arts. 1(3), **20(3)**; S.I. 2015/1451, art. 5
- F10** S. 36C(6A) 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. 19(e)** (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)
- F11** S. 36C(6B) 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. 19(e)** (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)
- F12** S. 36C(7) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007](#) (S.I. 2007/3101), regs. 1(2), **123(d)**

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I^{F13} 36CA. Supplementary provisions as to necessary knowledge of English

- (1) The Council must publish guidance about—
 - (a) the evidence, information or documents to be provided by an applicant for the purpose of satisfying the registrar under section 36C(6)(aa) that the applicant has the necessary knowledge of English; and
 - (b) the process by which the registrar is to determine whether the registrar is satisfied as mentioned in paragraph (a).
- (2) The registrar must have regard to the guidance published under subsection (1) in determining whether the registrar is satisfied as mentioned in subsection (1)(a).
- (3) Subsections (4) and (6) apply if, having considered any evidence, information or documents provided by the applicant in support of the applicant’s application, the registrar is not satisfied under section 36C(6)(aa) that the applicant has the necessary knowledge of English.
- (4) The registrar may request the applicant to provide further evidence, information or documents within such period as the registrar may specify.
- ^{F14}(5)
- (6) The registrar may require the applicant—
 - (a) to undergo an examination or other assessment; and
 - (b) to provide information in respect of that examination or assessment, within such period as the registrar may specify.
- ^{F15}(7)
- ^{F16}(8)
- (9) Guidance published under subsection (1) may make different provision in relation to different cases or classes of case, and in particular in relation to different descriptions of registered dental care professionals.
- (10) The Council must keep guidance published under subsection (1) under review and may vary or withdraw it whenever they consider it appropriate to do so.
- (11) If the Council vary any guidance published under subsection (1) they must publish the guidance as varied.
- (12) Before publishing any guidance under subsection (1), or varying or withdrawing it, the Council must consult the persons and bodies mentioned in section 36M(5)(a) to (c).
- (13) The Council may charge such fee as they consider reasonable for the provision of a copy of the guidance to any person.
- (14) In this section—
 - (a) references to an applicant are references to a person applying for registration under a title in ^{F17}... the dental care professionals register, and
 - (b) references to guidance published under subsection (1) include references to guidance published by virtue of subsection (11).]

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Textual Amendments

- F13** S. 36CA inserted (1.4.2016) by [The Health Care and Associated Professions \(Knowledge of English\) Order 2015 \(S.I. 2015/806\)](#), arts. 1(3), **21**; [S.I. 2015/1451](#), art. 5
- F14** S. 36CA(5) 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. 20(a)** (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)
- F15** S. 36CA(7) 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. 20(a)** (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)
- F16** S. 36CA(8) 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. 20(a)** (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)
- F17** Words in s. 36CA(14)(a) 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. 20(b)** (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)

36D. Education and training for members of professions complementary to dentistry

- (1) For each regulated profession or class, the Council shall, from time to time—
- determine the appropriate standard of proficiency which, in their opinion, is required for a person to practise competently and safely as a member of the profession or class; and
 - specify the content and standard of the education and training (including practical experience) which, in their opinion, is required for imparting the knowledge and skills necessary for a person to obtain that proficiency.
- (2) Where the Council are satisfied that—
- a qualification granted by an institution in the United Kingdom is evidence of having reached the standard of proficiency for a regulated profession or class determined under subsection (1),
 - a qualification which such an institution proposes to grant will be such evidence, or
 - two or more qualifications granted or to be granted as mentioned in paragraph (a) or (b), taken together, are or will be such evidence,
- the Council may approve that qualification or those qualifications in relation to that regulated profession or class.
- (3) The matters determined or specified under subsection (1), and the qualifications approved under subsection (2), shall be published by the Council from time to time in such form as appears to them to be appropriate.
- (4) The Council shall ensure that establishments providing or overseeing courses of education or training for persons who seek registration under a title in the dental care professionals register are notified of—
- the matters for the time being determined or specified under subsection (1); and

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- (b) the qualifications for the time being approved under subsection (2).
- (5) Rules shall make provision for the withdrawal of approval given under subsection (2) in such circumstances as may be specified in the rules.
- (6) Rules may make provision for the appointment by the Council of persons to visit establishments which provide or oversee, or seek to provide or oversee, courses of education or training for persons referred to in subsection (4), for the purposes of advising and reporting back to the Council upon matters connected with such courses, including—
 - (a) the sufficiency of instruction provided or overseen by, or to be provided or overseen by, those establishments;
 - (b) the suitability of a particular qualification for approval under subsection (2); and
 - (c) whether approval of a particular qualification ought to be withdrawn under rules under subsection (5).
- (7) Rules may make provision—
 - (a) for the appointment by the Council of persons to attend examinations (or other forms of assessment) taken by persons attempting to obtain qualifications approved under subsection (2); and
 - (b) for persons appointed under paragraph (a) to report back to the Council on their findings.
- (8) In this section “regulated profession or class” means a profession complementary to dentistry, or class of members of such a profession, specified in regulations under section 36A(2).]

Status:

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Changes to legislation:

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