



# Dentists Act 1984

## 1984 CHAPTER 24

### PART III

#### THE DENTAL PROFESSION

##### *Registration*

#### **[<sup>F1</sup>14 The dentists register and the registrar**

(1) There shall continue to be a register known as the dentists register (referred to in this Act as “the register”).

[<sup>F2</sup>(1A) The register shall consist of three lists, namely—

- (a) the principal list, which shall contain particulars of persons who under section 15 are entitled to be registered in the register;
- (b) the list of temporary registrants, which shall contain particulars of persons who under section 17 are directed to be registered in the register; and
- (c) the list of visiting dentists from relevant European States, which shall contain particulars of persons who under Schedule 4 are entitled to be registered in the register.]

(2) The register shall be kept by a registrar appointed by the Council.

(3) Any person appointed to the office of registrar shall hold the office for such period and shall receive such salary as may be fixed by the Council.

(4) The registrar shall perform such duties in connection with the register as the Council may direct, and in the execution of his duties he shall act on such evidence as in each case appears to him sufficient.

(5) The registrar may delegate, either generally or specifically, any of his functions to any of the Council’s officers.

(6) A certificate purporting to be signed by the registrar, certifying that a person—  
(a) is registered in the register,

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

**Textual Amendments**

**F1** S. 14 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. 6** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

**F2** S. 14(1A) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **111**

**15 Qualification for registration in the dentists register.**

- (1) Subject to the provisions of this Act the following persons shall be entitled to be registered in the dentists register in accordance with this Act, namely—
- (a) any person who is a graduate or licentiate in dentistry of a dental authority;
  - [<sup>F3</sup>(b) any exempt person who holds an appropriate European diploma;
  - (ba) any exempt person—
    - (i) whose case falls within regulation 3(9)(a) or (e) of the General Systems Regulations,
    - (ii) to whom regulations 20 to 26 of those Regulations apply by reason of the operation of regulation 3(4) of those Regulations, and
    - (iii) who is permitted to pursue the profession of dentistry in the United Kingdom by virtue of Part 3 of those Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to undertake pursuant to that Part of those Regulations); and]
  - (c) any person who holds a recognised overseas diploma.

(2) In subsection (1) above—  
 “appropriate European diploma” shall be construed in accordance with Schedule 2 to this Act;

<sup>F4</sup>  
...

and in this Act “recognised overseas diploma” means a diploma granted in a country overseas and recognised for the time being by the Council for the purposes of this Act, and does not include an appropriate European diploma.

<sup>F5</sup>(2A) .....

- (3) A person shall not be entitled to be registered in the dentists register under [<sup>F6</sup>paragraph (a), (b) or (ba) of subsection (1)] above unless he satisfies the registrar as to the following matters, namely—
- (a) his identity;
  - (b) that he is of good character; and
  - (c) that he is in good health, both physically and mentally.

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- (4) A person shall not be entitled to be registered in the dentists register under paragraph (c) of that subsection unless he satisfies the registrar as to the following matters, namely—
- (a) his identity;
  - (b) that he is of good character;
  - (c) that he has satisfied the Council that he has the requisite knowledge and skill;
  - (d) that <sup>F7</sup>he—
    - <sup>F8</sup>(i) is an exempt person, or
    - (ii) has the necessary knowledge of English; and
  - (e) that he is in good health, both physically and mentally.
- <sup>F9</sup><sup>F10</sup>(4A) Subsections (4B) to (4BC) apply in relation to an exempt person (“A”) who applies for registration under paragraph (b) or (ba) of subsection (1).
- (4B) For the purposes of subsection (3)(b), the registrar shall accept as sufficient evidence of A’s good character a certificate which—
- (a) attests to A’s good character or good repute; and
  - (b) is issued by a competent authority in A’s attesting State.
- (4BA) If no such certificate is issued by a competent authority in A’s attesting State, for the purposes of subsection (3)(b) the registrar shall accept as sufficient evidence of A’s good character a certificate—
- (a) attesting to the authenticity of a declaration on oath made by A—
    - (i) before a competent judicial or administrative authority, notary or qualified professional body of A’s attesting State, and
    - (ii) attesting to A’s good character; and
  - (b) issued by the authority, notary or body referred to in paragraph (a)(i).
- In this subsection, “declaration on oath” includes a solemn declaration.
- (4BB) For the purposes of subsection (3)(c), the registrar shall accept as sufficient evidence of A’s good health a certificate which—
- (a) attests to A’s good physical and mental health; and
  - (b) is required of a person who wishes to practise dentistry in A’s attesting State.
- (4BC) If no such certificate is required of persons who wish to practise dentistry in A’s attesting State, for the purposes of subsection (3)(c) the registrar shall accept as sufficient evidence of A’s good health a certificate which—
- (a) attests to A’s good physical and mental health; and
  - (b) is issued by a competent authority in A’s attesting State.
- (4BD) In subsections (4B) to (4BC) the “attesting State”, in relation to A, is—
- (a) the relevant European State in which A obtained his dental qualification; or
  - (b) (if different) the relevant European State from which A comes to the United Kingdom.]
- (4C) the registrar shall not accept any certificate referred to in <sup>F11</sup>subsection (4B), (4BA), (4BB) or (4BC)] if it is presented more than three months after the date on which it was issued.]

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- (5) An applicant for registration under subsection (1)(c) above has the necessary knowledge of English if he has the knowledge which, in the interests of himself and his patients, is necessary for the practice of dentistry in the United Kingdom.
- (6) The Council may direct that for the purposes of this section a particular person who has passed the examinations required to obtain a recognised overseas diploma shall be treated as a person holding a recognised overseas diploma.

<sup>F12</sup>(7) . . . . .

#### Textual Amendments

- F3** S. 15(1)(b)(ba) substituted for s. 15(1)(b) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(a)**
- F4** Words in s. 15(2) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(b)**
- F5** S. 15(2A) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(c)**
- F6** Words in s. 15(3) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(d)**
- F7** Word in s. 20(4)(d) substituted and (i)(ii) inserted (14.4.1998) by 1998/811, reg. 20(1)
- F8** S. 15(4)(d)(i) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(e)**
- F9** S. 15(4A)-(4C) inserted (14.4.1998) by S.I. 1998/811, **reg. 19**
- F10** S. 15(4A)-(4BD) substituted for s. 15(4A)(4B) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(f)**
- F11** Words in s. 15(4C) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **112(g)**
- F12** S. 15(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), **112(h)**

## 16 Supplementary provisions as to registration of holders of overseas diplomas.

- (1) Except in a case falling within subsection (2) below the Council shall for the purpose of satisfying themselves that a person has the requisite knowledge and skill as mentioned in section 15(4)(c) above, and in addition to such other requirements as they may impose on him, require him to sit for examinations held by a dental authority, or a group of dental authorities, under arrangements made by the Council.
- (2) If the diploma held by the person in question is of a kind recognised for the time being by the Council as furnishing such guarantees of that person's possessing the requisite knowledge and skill as warrant dispensing with further inquiry, he shall be taken to have satisfied the Council that he has the requisite knowledge and skill.

<sup>F13</sup>(2A) In deciding for the purposes of section 15(4)(c) whether [<sup>F14</sup>an exempt person] has the requisite knowledge and skill, the Council—

- <sup>F15</sup>(a) shall take into account all his dental qualifications, knowledge or experience, wherever acquired, which are relevant to that decision;
- (b) [<sup>F16</sup>if the person holds a dental qualification which—
- (i) was granted otherwise than in a relevant European State, but
  - (ii) has been accepted by a relevant European State, other than the United Kingdom, as qualifying him to practise as a dentist in that State,

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shall take that acceptance into account; and]

- (c) may treat a qualification which is not of a kind recognised for the time being by the Council as furnishing sufficient guarantees that he has the requisite knowledge and skill as if it were such a qualification.]

[<sup>F17</sup>(2B) In the case of an exempt person who holds a dental qualification which—

- (a) was granted otherwise than in a relevant European State, and  
(b) has not previously been accepted by a relevant European State as qualifying him to practise as a dentist in that State,

the Council shall not determine that they are satisfied that that person has the requisite knowledge and skill as mentioned in section 15(4)(c) above unless the dental qualification is evidence of dental training that meets, or under article 22(a) of the Directive (part-time training) is to be treated as meeting, the requirements of article 34 of the Directive (basic dental training).]

- (3) For the purpose of satisfying themselves that it is appropriate to recognise under subsection (2) above any diploma granted by an overseas institution, the Council may appoint persons to visit that institution and to attend the examinations to be taken in order to obtain the diploma; and the persons so appointed shall report to the Council as to the sufficiency of the instruction given in the institution and as to the adequacy of the examinations concerned for testing the knowledge and skill of those taking them.

(4) The Council may—

- (a) make regulations as to the examinations to be held for the purposes of this section and may include in the regulations provisions for withdrawing the right to sit for any such examinations from a person who has not first paid the fee prescribed by the regulations for sitting for the examinations or from a person who has previously failed to pass such examinations on such number of occasions as may be prescribed by the regulations; and  
(b) appoint persons to attend any such examinations who shall report to the Council as to the adequacy of the examinations for testing the knowledge and skill of those taking them.

(5) The Council shall have power to remunerate persons who are not members of the Council for acting as visitors under subsection (3) or (4)(b) above.

(6) The Council may direct that for the purposes of this section a particular person who has passed the examinations required to obtain a recognised overseas diploma shall be treated as a person holding a recognised overseas diploma.

(7) Regulations under subsection (4)(a) above shall not come into force until approved by order of the Privy Council.]

#### Textual Amendments

- F13** S. 16(2A) inserted (14.4.1998) by [S.I. 1998/811](#), [reg. 20\(2\)](#)  
**F14** Words in s. 16(2A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [regs. 1\(2\)](#), [113\(a\)\(i\)](#)  
**F15** S. 16(2A)(a)(b) substituted (31.12.2003) by [The European Qualifications \(Health Care Professions\) Regulations 2003 \(S.I. 2003/3148\)](#), [regs. 1\(1\)\(c\)](#), [6\(3\)](#)  
**F16** S. 16(2A)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), [regs. 1\(2\)](#), [113\(a\)\(ii\)](#)

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**F17** S. 16(2B) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **113(b)**

## 17 Temporary registration.

- (1) Where the Council, with a view to permitting any person holding a recognised overseas diploma temporarily to practise dentistry in a particular post in a hospital or other institution, give a direction that he be registered as respects practice in that post in that hospital or institution for such period as may be specified in the direction, that person shall be entitled to be registered in the dentists register in accordance with this Act subject to the entry against his name of the restrictions specified in the direction.
- (2) No direction shall be given under this section unless the persons concerned has satisfied the registrar as to the following matters, namely—
  - (a) his identity;
  - (b) that he is of good character;
  - (c) that he has the requisite knowledge and skill for the efficient practice of dentistry in the post in question;
  - <sup>F18</sup>(d) that he—
    - <sup>F19</sup>(i) is an exempt person, or]
    - (ii) has the necessary knowledge of English; and]
  - (e) that he is in good health, both physically and mentally.
- (3) An applicant for registration under this section has the necessary knowledge of English if he has the knowledge which, in the interests of himself and his patients, is necessary for the practice of dentistry in the United Kingdom.
- <sup>F20</sup>(3A) In deciding for the purposes of subsection (2)(c) whether <sup>F21</sup>[an exempt person] has the requisite knowledge and skill for the efficient practice of dentistry in the post in question, the Council shall take into account <sup>F22</sup>[all his dental qualifications, knowledge or experience, wherever acquired, which are relevant to that decision], and any acceptance by <sup>F23</sup>[a relevant European State other than the United Kingdom] of his right to practise as a dentist in that State.]
- (4) Registration under this section shall not make it lawful for a person to practise dentistry otherwise than subject to the restrictions specified in the relevant direction nor constitute him a registered dentist for the purposes of Schedule 1 to this Act.
- (5) The Council may direct that for the purposes of this section a particular person who has passed the examinations required to obtain a recognised overseas diploma shall be treated as a person holding a recognised overseas diploma.

### Textual Amendments

- F18** S. 17(2)(d) substituted (14.4.1998) by [S.I. 1998/811](#), **reg. 20(3)(a)**
- F19** S. 17(2)(d)(i) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **114(a)**
- F20** S. 17(3A) inserted (14.4.1998) by [S.I. 1998/811](#), **reg. 20(3)(b)**
- F21** Words in s. 17(3A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **114(b)(i)**
- F22** Words in s. 17(3A) substituted (31.12.2003) by [The European Qualifications \(Health Care Professions\) Regulations 2003 \(S.I. 2003/3148\)](#), regs. 1(1)(c), **6(4)(a)**

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**F23** Words in s. 17(3A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **114(b)(ii)**

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