



# Dentists Act 1984

## 1984 CHAPTER 24

### [<sup>F1</sup>PART 3A

#### PROFESSIONS COMPLEMENTARY TO DENTISTRY]

##### *[<sup>F1</sup>Visiting dental care professionals from relevant European States*

#### [<sup>F1</sup>36Z3. Visiting dental care professionals from relevant European States

- (1) This section applies to an exempt person (“V”) who is lawfully established, in a relevant European State other than the United Kingdom (“State A”), as a member of one of the dental care professions (“the established profession”).
- (2) Subsection (3) applies if V has the benefit of regulation 8 of the General Systems Regulations in connection with the provision by V of relevant services in the United Kingdom on a temporary and occasional basis (V having complied with any requirements imposed under Part 2 of those Regulations in connection with the provision by V of relevant services).
- (3) V is entitled to be registered in the dental care professionals register under the title, or (as the case may be) the titles, specified in regulations under section 36A(2) as applying to the established profession; and the registrar shall give effect to the entitlement.
- (4) If V—
  - (a) is entitled under subsection (3) to be registered in the dental care professionals register under any particular title, but
  - (b) is not registered in the list mentioned in section 36B(1A)(b) under that title,V shall be treated as registered in that list under that title.
- (5) V’s entitlement under subsection (3) ceases if V ceases, whether as a result of the operation of regulation 17 of the General Systems Regulations or otherwise, to have the benefit of regulation 8 of those Regulations in connection with the provision by V of relevant services in the United Kingdom on a temporary and occasional basis.

*Status: Point in time view as at 03/12/2007. This version of this provision has been superseded.*

*Changes to legislation: Dentists Act 1984, Section 36Z3 is up to date with all changes known to be in force on or before 29 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)*

- (6) If—
- (a) V's entitlement under subsection (3) ceases by reason of the operation of subsection (5), and
  - (b) V's name is registered in the list mentioned in section 36B(1A)(b) under the title, or any one or more of the titles, specified in regulations under section 36A(2) as applying to the established profession,
- the registrar may erase V's name from registration in that list under the title or titles concerned.
- (7) Subsection (8) applies if—
- (a) V's establishment in State A is subject to a condition relating to V's practice of the established profession;
  - (b) V's name is registered in the dental care professionals register under the title, or (as the case may be) the titles, specified in regulations under section 36A(2) as applying to the established profession; and
  - (c) for any of the purposes of this Act it falls to be decided whether V's fitness to practise is or may be impaired on the ground of misconduct.
- (8) The matters that may be counted as misconduct include (in particular) any act or omission by V during the course of the provision by V of relevant services in the United Kingdom on a temporary and occasional basis that is, or would be if the condition applied in relation to practice of the established profession outside State A, a breach of the condition.
- (9) In subsections (7) and (8) "condition" includes limitation.
- (10) Subsections (1) to (6) are not to be taken to prejudice the application, in relation to persons registered in the list mentioned in section 36B(1A)(b), of any other provision of this Act under which a registered dental care professional's name may be erased from the dental care professionals register or under which a registered dental care professional's registration in the dental care professionals register may be suspended.
- (11) In this section "relevant services" means services provided in pursuit of the established profession.
- (12) For the purposes of this section, each of the following is a dental care profession—
- (a) the profession pursued by clinical dental technicians;
  - (b) the profession pursued by dental hygienists;
  - (c) the profession pursued by dental nurses;
  - (d) the profession pursued by dental technicians;
  - (e) the profession pursued by dental therapists;
  - (f) the profession pursued by orthodontic therapists.]

#### **Textual Amendments**

- F1** Ss. 36Z3, 36Z4 and cross-heading inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **126**

**Status:**

Point in time view as at 03/12/2007. This version of this provision has been superseded.

**Changes to legislation:**

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