
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Care Standards Act 2000 (“the Act”) and apply to Wales. Part 2 of the Act provides for the registration and inspection of establishments and agencies by the registration authority (the Welsh Ministers). Part 2 of the Act also provides powers for the Welsh Ministers to make regulations governing the conduct of establishments and agencies.

Section 42 of the Act makes provision, through regulations, for the application of Part 2 of the Act (with such modifications as may be specified) in respect of persons who carry on or manage the provision of services that are not specified in that Act.

The Care Standards Act 2000 (Extension of the Application of Part 2 to Private Dental Practices) (Wales) Regulations 2017 have been made under the power in section 42 of the Act to provide that the regulation making powers in Part 2 of the Act apply, with the modifications set out in those Regulations, in respect of private dental practices.

These Regulations make provision in relation to the registration of private dental practices.

Under Part 2 of the Act, the Welsh Ministers have the function of granting or refusing applications for registration under the Act. They may grant registration subject to conditions and may vary or remove any condition or impose an additional condition. They also have power to cancel registration.

Regulations 4 to 15 make provision in relation to registration under Part 2 of the Act.

Regulations 4 and 5 of, and Schedules 1 to 3 to, these Regulations specify the information and documents that are to be provided by an applicant for registration.

Regulation 6 requires the responsible person to attend an interview. Regulations 7 and 8 require the applicant to give notice of certain changes that take place, or details of staff engaged, after the application for registration is made and before it is determined.

Regulation 9 specifies the particulars that any certificate of registration is to contain.

Regulation 10 requires a person who is registered in respect of an establishment to return the certificate to the registration authority if the registration is cancelled. Failure to comply with that requirement is an offence under regulation 11.

Regulation 12 makes provision in respect of an application by the registered person to apply for the variation or removal of a condition in relation to his or her registration.

Regulation 13 requires the registered person to report the relevant circumstances to the registration authority if it appears that the private dental practice is likely to cease to be financially viable.

Regulation 14 specifies a ground on which the registration authority may cancel a person’s registration. Other grounds on which registration may be cancelled are specified by section 14 of the Act.

Regulation 15 provides for the registered person to apply for his or her registration to be cancelled.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.