

WELSH STATUTORY INSTRUMENTS

2017 No. 201

The Registration of Private Dentistry (Wales) Regulations 2017

PROSPECTIVE

PART 1

General

Title, commencement and application

1. The title of these Regulations is the Registration of Private Dentistry (Wales) Regulations 2017 and they come into force on 1 April 2017.
2. These Regulations apply in relation to Wales.

Commencement Information

- I1** Reg. 1 in force at 1.4.2017, see [reg. 1](#)
I2 Reg. 2 in force at 1.4.2017, see [reg. 1](#)

Interpretation

3.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Care Standards Act 2000 and, with respect to Part 2 of that Act, means that Part as applied with modifications to private dental practices by the Care Standards Act 2000 (Extension of the Application of Part 2 to Private Dental Practices) (Wales) Regulations 2017 and by regulation 39 of the Private Dentistry (Wales) Regulations 2017;

“the 2017 Regulations” (“*Rheoliadau 2017*”) means the Private Dentistry (Wales) Regulations 2017(1);

“applicant” (“*ceisydd*”) means the person seeking to be registered;

“appropriate office of the registration authority” (“*swyddfa briodol yr awdurdod cofrestru*”) in relation to a private dental practice—

- (a) if an office has been specified under regulation 3(2) of the Private Dentistry (Wales) Regulations 2017, that office;
- (b) in any other case, any office of the registration authority;

“dental care professional” (“*proffesiynolyn gofal deintyddol*”) means—

- (a) a dental hygienist;

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Registration of Private Dentistry (Wales) Regulations 2017, PART 1. (See end of Document for details)

(b) a dental therapist; or

(c) a clinical dental technician;

“dental hygienist” (“*hyleneydd deintyddol*”), “dental therapist” (“*therapydd deintyddol*”) and “clinical dental technician” (“*technegydd deintyddol clinigol*”) mean persons registered as such with the General Dental Council in the dental care professionals register established under section 36B of the Dentists Act 1984⁽²⁾;

“dental performers list” (“*rhestr perfformwyr deintyddol*”) means the list prepared by a Local Health Board or the National Health Service Commissioning Board and published pursuant to regulation 3(1)(b) of the National Health Service (Performers Lists) (Wales) Regulations 2004⁽³⁾ or regulations under section 106 of the National Health Service Act 2006⁽⁴⁾ as appropriate;

“dental services” (“*gwasanaethau deintyddol*”) means dental care and treatment provided by a dentist;

“dentist” (“*deintydd*”) means a person registered in the dentist’s register kept in accordance with section 14 of the Dentists Act 1984;

“exposure-prone procedures” (“*triniaethau a all arwain at gysylltiad*”) for the purposes of these Regulations refers to invasive procedures where there is a risk that injury to the dentist or dental care professional may result in the exposure of a patient’s open tissue to the blood of the dentist or dental care professional;

“holding company” (“*cwmni daliannol*”) has the meaning given to it by section 1159 of the Companies Act 2006⁽⁵⁾;

“insurance” (“*yswiriant*”) means—

(a) a contract of insurance providing cover for liabilities which may be incurred in carrying out work as a dentist or dental care professional, or

(b) an arrangement made for the purposes of indemnifying a person against such liabilities;

“organisation” (“*sefydliad*”) means a body corporate or any unincorporated association other than a partnership;

“private dental practice” (“*practis deintyddol preifat*”)⁽⁶⁾ means an undertaking which consists or includes the provision of—

(a) private dental services by a dentist, or

(b) relevant professional services by a dental care professional, otherwise than for the purposes of the National Health Service (Wales) Act 2006⁽⁷⁾;

“professional registration number” (“*rhif cofrestru proffesiynol*”) means the number against the person’s name in the dentists register kept in accordance with section 14 of the Dentists Act 1984;

“reasonable adjustments” (“*addasiadau rhesymol*”) means such reasonable adjustments as would be required under the Equality Act 2010⁽⁸⁾;

“registered manager” (“*rheolwr cofrestredig*”) means a person who is registered under Part 2 of the Act as the manager of a private dental practice;

(2) 1984 c. 24.

(3) S.I. 2004/1020 (W. 117).

(4) 2006 c. 41.

(5) 2006 c. 46.

(6) See regulation 4 of the Private Dentistry (Wales) Regulations 2017 for undertakings which are not private dental practices.

(7) 2006 c. 42.

(8) 2010 c. 15.

“registered person” (“*person cofrestredig*”) means a person who is the registered provider or the registered manager of a private dental practice;

“registered provider” (“*darparwr cofrestredig*”) means a person who is registered under Part 2 of the Act as the person carrying on a private dental practice;

“registration” (“*cofrestrriad*”, “*cofrestru*”) means registration under Part 2 of the Act;

“relevant professional services” (“*gwasanaethau proffesiynol perthnasol*”) means the provision of professional services in accordance with the full scope of practice of a dental care professional, otherwise than in accordance with prescription from a dentist but does not include—

- (a) the provision of tooth whitening services by a dental hygienist or a dental therapist, and
- (b) the provision and maintenance of dentures for dentate patients⁽⁹⁾ by a clinical dental technician;

“responsible individual” (“*unigolyn cyfrifol*”) means an individual who is a director, manager, secretary, or other officer of an organisation and is responsible for supervising the management of a private dental practice;

“responsible person” (“*person cyfrifol*”) means—

- (a) where the applicant is an individual—
 - (i) the applicant; and
 - (ii) if the applicant carries on or intends to carry on the private dental practice in partnership with others, each partner of the applicant;
- (b) where the applicant is a partnership, each member of the partnership;
- (c) where the applicant is an organisation, the responsible individual;

“statement of purpose” (“*datganiad o ddiben*”) means the written statement compiled in accordance with regulation 5(1) of the Private Dentistry (Wales) Regulations 2017;

“subsidiary” (“*is-gwmni*”) has the meaning given to it by section 1159 of the Companies Act 2006.

(2) In these Regulations, references to a private dental practice, are to be construed as references—

- (a) in the case of an applicant, to the private dental practice in respect of which the applicant is seeking to be registered;
- (b) in the case of a registered person, the private dental practice in respect of which the applicant is registered.

Commencement Information

I3 Reg. 3 in force at 1.4.2017, see [reg. 1](#)

⁽⁹⁾ A clinical dental technician may only provide the full range of services via direct access arrangements for edentulous patients.

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Registration of Private Dentistry (Wales) Regulations 2017, PART 1.