

SCHEDULE 2

PART IA

INFORMATION, DECLARATIONS, CERTIFICATE, APPLICATIONS, UNDERTAKINGS AND CONSENTS, TO BE INCLUDED IN AN APPLICATION FOR INCLUSION IN SUB-PART A OF THE FIRST PART OF THE DENTAL LIST

4. An application shall include the following undertakings:—
- (a) that the applicant will participate in appropriate and relevant NHS audit procedures;
 - (b) that the applicant will be bound by the terms of service applicable to the applicant;
 - (c) that the applicant will undertake to provide general dental services;
 - (d) that the applicant will notify the Board in writing within 7 days of its occurrence if the applicant, or where the applicant is a body corporate any director of the applicant—
 - (i) is charged in the British Islands with a criminal offence, the sentence for which could be a term of imprisonment or is charged elsewhere with an offence which, if committed in the British Islands would constitute such a criminal offence;
 - (ii) is convicted of a criminal offence in the British Islands or is convicted elsewhere of an offence which would constitute a criminal offence if committed in the British Islands;
 - (iii) has, in summary proceedings, in respect of an offence, been the subject of an order discharging him or her absolutely (without proceeding to conviction);
 - (iv) has accepted and agreed to pay either a fixed penalty under section 302 of the Criminal Procedure (Scotland) Act 1995 or a penalty under section 115A of the Social Security Administration Act 1992;
 - (v) has accepted a compensation offer under section 302A of the Criminal Procedure (Scotland) Act 1995;
 - (vi) has accepted a combined fixed penalty and compensation offer under section 302B of the Criminal Procedure (Scotland) Act 1995;
 - (vii) has accepted a work order under section 303ZA of the Criminal Procedure (Scotland) Act 1995;
 - (viii) has accepted a police caution in the British Islands;
 - (ix) is bound over following a criminal conviction in the British Islands;
 - (x) becomes the subject of any investigation into the applicant's or such director's professional conduct by any licensing, regulatory or other body anywhere in the world;
 - (xi) is informed by any licensing, regulatory or other body anywhere in the world of the outcome of any investigation into the applicant's or such director's professional conduct, and there is a finding against the applicant or such director;
 - (xii) becomes, to the applicant's knowledge, the subject of any investigation by the Agency or any other body in relation to fraud, or is informed of the outcome of any such investigation, where it is adverse;
 - (xiii) becomes the subject of any investigation, proceedings or referral by another Health Board or equivalent body or the Tribunal, which might result in the applicant or such director being disqualified, conditionally disqualified, refused entry, allowed entry

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- subject to conditions, removed, contingently removed or suspended from a list, or equivalent list;
- (xiv) is disqualified, conditionally disqualified, refused entry, allowed entry subject to conditions, removed or suspended from or refused admission or contingently removed from to any list or equivalent list;
 - (xv) is, was in the preceding 6 months, or was at the time of the events that gave rise to the charge, conviction, investigation or referral, a director of a body corporate and that body corporate—
 - (aa) is charged in the British Islands with a criminal offence, or is charged elsewhere with an offence which, if committed in the British Islands would constitute a criminal offence;
 - (bb) is convicted of a criminal offence in the British Islands;
 - (cc) is convicted elsewhere of an offence which, if committed in the British Islands would constitute a criminal offence;
 - (dd) becomes the subject of any investigation into its provision of professional services by any licensing, regulatory or other body anywhere in the world;
 - (ee) is informed by any licensing, regulatory or other body anywhere in the world of the outcome of any investigation into its provision of professional services, and there is a finding against it; or
 - (ff) becomes, to the applicant’s knowledge, the subject of any investigation by the Agency or any other body in relation to fraud, or is informed of the outcome of any such investigation, if adverse,together with details of the occurrence, including approximate dates, and where any investigation or proceedings were or are to be brought, the nature of that investigation or proceedings, and any outcome;
 - (xvi) has sequestration of the applicant’s or such director’s estate awarded or is adjudged bankrupt;
 - (xvii) is made the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986;
 - (xviii) makes a composition or arrangement with, or grants a trust deed for, the applicant’s or such director’s creditors;
 - (xix) if a body corporate—
 - (aa) has an administrator, administrative receiver or receiver appointed in respect of it;
 - (bb) has an administration order made in respect of it under Schedule B1 to the Insolvency Act 1986; or
 - (cc) is wound up under Part IV of the Insolvency Act 1986;
 - (xx) is made subject to a disqualification order under the Company Directors Disqualification Act 1986, the Companies (Northern Ireland) Order 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- (e) that the applicant will only provide orthodontic treatment, (where the applicant has applied for inclusion in the list on that basis);
 - (f) that the applicant and where the applicant is a body corporate, all directors of the body corporate, consents to a request being made by the Health Board to the Agency, any employer or former employer of the applicant or any such director, licensing, regulatory

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or other body in the United Kingdom or elsewhere, for information relating to a current investigation, or an investigation where the outcome was adverse, into the applicant or a body corporate referred to in this paragraph or any such director and, for the purposes of this sub-paragraph, “employer” includes any partnership of which the applicant is or was a member;

- (g) that the applicant consents to disclosure of information in terms of regulation 14.