

Dentists Act 1984

CHAPTER 24

DENTISTS ACT 1984

PART I

THE GENERAL DENTAL COUNCIL

- 1 Constitution and general duties of the Council.
- 2 Committees of the Council.
- 2A The Council's duty to co-operate
- 2B Annual reports, statistical reports and strategic plans
- 2C Accounts
- 2D Complaints
- 2E Registration of members' private interests

PART II

DENTAL EDUCATION

Degrees and licences in dentistry

- 3 Power of medical authorities to hold examinations and grant licences in dentistry.
- 4 Conduct of examinations for degrees and licences.
- 5 Holding of examinations and grant of licences by Royal College of Surgeons of England.
- 6 Requirements in relation to admission of candidates to examinations and grant of degrees and licences.
- 7 Effect of grant of degree or licence in dentistry.

Supervision of dental education

8 Information to be furnished by dental authorities.

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

- 9 Supervision of instruction given by dental schools and post-graduate institutions.
- 10 Supervision of examinations.
- Remedy where qualifying courses of study or examinations are inadequate.
- 12 Candidates not to be required to adopt or reject particular theories of dentistry.
- 12A Degrees and licences in dentistry

Functions of Education Committee

13 Dental Education

ii

PART III

THE DENTAL PROFESSION

Registration

- 14 The dentists register and the registrar
- 15 Qualification for registration in the dentists register.
- 15ZA Section 15: further provision relating to specified state professionals
- 15A Supplementary provisions as to the necessary knowledge of English
- 16 Supplementary provisions as to registration of holders of overseas diplomas.
- 16A Requisite knowledge and skill: holders of overseas diplomas
- 16B Requisite knowledge and skill: recognition of overseas diplomas
 - 17 Temporary registration.

Procedure for registration

- 18 Procedure for registration.
- 19 Regulations with respect to the register.
- 20 Selection of proper abbreviations of overseas diplomas.
- 21 Notification of reasons for refusal of application for registration etc.
- 21A Notification of results of application

Publication of the register

22 Publication of the register

Erasures and alterations in the register

- 23 Erasure of names of deceased persons and of those who have ceased to practise.
- 24 Erasure on grounds of fraud or error
- 25 Alteration of names and addresses.

Registration appeals

25A Registration appeals

Use of titles and descriptions

26 Use of titles and descriptions.

Dentists Act 1984 (c. 24)

iii

Document Generated: 2024-04-18

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

Insurance

26A	Indemnity arrangements	
-----	------------------------	--

Pro	fessional	conduct	and	fitness	to	practise
1 10	essionai	conauci	unu	lilless	$\iota \upsilon$	pracuse

- 26B Guidance
- 26C Information for specified state professionals
- 27 Allegations
- 27A The Investigating Committee
- 27AA Delegation of the Investigating Committee's functions under section 27A
- 27AB Review of determination under section 27A(1)
- 27B The Practice Committees
- 27C Resumed hearings
 - 28 Restoration of names to the register following erasure under section 27B
 - 29 Appeals.
- 29A Taking effect of directions for erasure, suspension, conditional registration etc.
 - 30 Orders for immediate suspension and immediate conditional registration
 - 31 Special provisions where directions replace, or extend periods under, previous directions.
 - 32 Interim orders

Supplementary provisions

- 33 Supplementary provisions relating to fitness to practise cases
- 33A Recording of suspension or conditional registration etc.
- 33B The Council's power to require disclosure of information
- 33C Notification and disclosure by the Council
 - 34 Restoration of name erased under s. 27.

Professional training and development requirements

- 34A Professional training and development requirements
- 34AA Limits on section 34A as respects visiting dentists from relevant European States
 - 34B Restoration of name to the register: professional training and development

Effect of disqualification in a relevant European State

35 Effect on registration of disqualification in a relevant European State.

Visiting dentists from relevant European States

36 Visiting dentists from relevant European States.

The Directive: designation of competent authority etc.

- 36ZA The Directive: designation of competent authority etc.
- 36ZB Fees for provision of certificates

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

PART 3A

PROFESSIONS COMPLEMENTARY TO DENTISTRY

T	ntr		7.	- 1		
"	$n \tau \nu$	·/\/	111	r	αv	١,
l I	uu	UU	u	$-\iota\iota$	"	v

36A	Professions complementary to dentistry
	Education and registration
36B 36C 36CA 36CB 36CC 36D	The dental care professionals register Qualifications for registration Supplementary provisions as to necessary knowledge of English Requisite knowledge and skill: holders of relevant qualifications Requisite knowledge and skill: recognition of relevant qualifications Education and training for members of professions complementary to dentistry
	Procedure for registration
36E 36EA 36F	Rules relating to the dental care professionals register Applications by specified state professionals under section 36C Fees
	Publication of the dental care professionals register
36G	Publication of the dental care professionals register
	Erasures and alterations in the dental care professionals register
36H	Erasure of names of deceased persons and of those who have ceased to practise
36I	Erasure on grounds of fraud or error
	Registration appeals
36J	Registration appeals
	Use of titles and descriptions
36K	Use of titles and descriptions
	Insurance
36L	Indemnity arrangements
	Professional conduct and fitness to practise
36M 36MA 36N 36O	Guidance Information for specified state professionals Allegations The Investigating Committee
360A	Delegation of the Investigating Committee's functions under

section 36O

The Practice Committees

Resumed hearings

36OB

36P

36Q

Review of determination under section 36O(1)

Dentists Act 1984 (c. 24)
Document Generated: 2024-04-18

ists Act 1984 (c. 24)

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

36R	Restoration of names to the dental care professionals register following erasure under section 36P			
36S	Appeals			
36T	Taking effect of directions for erasure, suspension, conditional			
	registration etc.			
36U	Orders for immediate suspension and immediate conditional registration			
36V	Interim orders			
	Supplementary provisions			
36W	Supplementary provisions relating to fitness to practise cases			
36X				
36Y	The Council's power to require disclosure of information			
36Z	Notification and disclosure by the Council			
	Professional training and development requirements			
36Z1	Professional training and development requirements			
36Z2	Restoration of names to the dental care professionals register:			
	professional training and development			
	Visiting dental care professionals from relevant European States			
36Z3	Visiting dental care professionals from relevant European States			
36Z4	Limits on section 36Z1 as respects visiting dental care professionals			
	PART IV			
RESTRICTI	ONS ON PRACTICE OF DENTISTRY AND ON CARRYING ON BUSINESS OF DENTISTRY			
	The practice of dentistry			
37	Definition of practice of dentistry.			
38				
39	Prohibition on use of practitioners' titles by laymen.			
	Restrictions on carrying on the business of dentistry			
40	Definition of business of dentistry.			
41	Restriction on individuals.			
42	Restriction on bodies corporate			
43	Directors of bodies corporate			

PART V

Supplementary provisions relating to financial penalties under sections

Provision of information and payment of fees by bodies corporate

DENTAL AUXILIARIES

45 Establishment by Council of classes of dental auxiliaries.

Financial penalties in relation to bodies corporate

Further financial penalties on bodies corporate

- 46 Restrictions on employment of dental auxiliaries.
- 47 Use of titles and descriptions.

43B and 44

43A

43B

44A

44B

44

48 Functions of Dental Auxiliaries Committee.

Appeals relating to financial penalties

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Termination of the 1927 Agreement

- 49 Termination of the 1927 Agreement with the Republic of Ireland.
- 49A Advisers

Supplementary

- 50 Evidence etc. in certain proceedings under this Act.
- 50A Service of notifications
- 50B Publication of information
- 50C Rules
- 50D Rules: consultation requirements
 - 51 Exercise of powers conferred on Privy Council.
 - 52 Regulations and other documents.
 - 53 Interpretation.
 - 54 Consequential amendments, repeals and revocations.
 - 55 Commencement, transitional provisions and savings.
 - 56 Short title and extent.

SCHEDULES

SCHEDULE 1 — The Council and Committees of the Council: Supplementary Provisions

Part I — THE COUNCIL

Constitution

- 1 (1) The Council shall consist of— (a) members who are...
- 1A (1) The Council shall consist of— (a) registrant members, that...

Matters for the order of the Privy Council under section 1(2A)

1B (1) An order under section 1(2A) shall include provision with...

Lay members

- 2 (1) An order of the Privy Council made under section...
- 2A (1) This paragraph applies if, under section 187 of the...

Members who are registered dentists or registered dental care professionals

3 (1) An order of the Privy Council made under section...

Council President

4 (1) The members of the Council shall elect one of...

5

General powers of Council

- 6 (1) Subject to the following provisions of this Part of...
- 7 (1) Subject to section 43B(13) and section 44(12), the Council...

Dentists Act 1984 (c. 24)

Document Generated: 2024-04-18

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

8 (1) The Council may make rules—(a)

8A (1) Subject to any provision made by this Act or...
Part II

The Education Committee

9

The Preliminary Proceedings Committee

10

The Professional Conduct Committee

11

The Dental Auxiliaries Committee

12

SCHEDULE 2 — European Dental Qualifications

Part I — APPROPRIATE EUROPEAN DIPLOMAS

- 1 (1) In this Schedule— "medical qualification" means a diploma, certificate...
- 2 Subject to paragraph 3 below, a diploma in dentistry granted...
- A diploma listed in Annex V, point 5.3.2 of the...
- 3A A diploma granted in a relevant European State on or...
 - 4 A diploma granted in a relevant European State before the...
 - 5 A medical qualification awarded in Austria, Italy, Romania or Spain...

- 6A (1) A medical qualification awarded in Italy to a person...
- 6B A medical qualification as a doctor awarded in Spain to...
 - 7 A diploma in dentistry which is evidence of training commenced...
 - 8 (1) A diploma in dentistry which— (a) is evidence of...
 - 9 A medical qualification awarded in the Czech Republic or in...
- 10 A medical qualification awarded in Slovakia or in the former...

PART II — SCHEDULED EUROPEAN DIPLOMAS

SCHEDULE 2A — Registration appeals: dentists register

- In this Schedule— "appealable registration decision" shall be construed in...
- 2 (1) The following decisions are appealable registration decisions for the...
- 3 Notification of appealable registration decisions
- 4 Appeals from an appealable registration decision
- 5 Extension of time for appealing
- 6 Appeals from the Registration Appeals Committee

SCHEDULE 3 — Proceedings before the Investigating Committee, the Interim Orders Committee and Practice Committees: dentists

- 1 Definitions
- 2 Rules relating to procedure
- 3 Evidence etc.
- 4 (1) For the purpose of proceedings under Part 3 of...
- 5 Where the proceedings relate to a person's conduct, and that...

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

6 Costs

viii

7 Reference of cases to the registrar or a different Committee

SCHEDULE 3A — CONTINUING PROFESSIONAL DEVELOPMENT CASES

Procedure

- 1 CONTINUING PROFESSIONAL DEVELOPMENT CASES
- 2 CONTINUING PROFESSIONAL DEVELOPMENT CASES
- 3 CONTINUING PROFESSIONAL DEVELOPMENT CASES

References to other committees

4 CONTINUING PROFESSIONAL DEVELOPMENT CASES

Notices

5 CONTINUING PROFESSIONAL DEVELOPMENT CASES

SCHEDULE 4 — VISITING DENTISTS FROM RELEVANT EUROPEAN STATES

- 1 Application and interpretation
- 2 In this Schedule— (a) a "visiting practitioner" means an exempt...
- 3 Registration in respect of provision of occasional dental services
- 4 Entitlement to provide occasional dental services: first year
- 5 First provision of services: required documents
- 6 (1) Subject to sub-paragraph (4), the evidence referred to in...
- 7 Entitlement to provide occasional dental services after first year: renewals
- 8 Duration of entitlement to provide occasional dental services
- 9 Conditions

SCHEDULE 4ZA — DIRECTIVE 2005/36: FUNCTIONS OF THE COUNCIL UNDER SECTION 36ZA(3)

SCHEDULE 4A — Registration appeals: dental care professionals register

- 1 In this Schedule— "appealable registration decision" shall be construed in...
- 2 (1) The following decisions are appealable registration decisions for the...
- 3 Notification of appealable registration decisions
- 4 Appeals from an appealable registration decision
- 5 Extension of time for appealing
- 6 Appeals from the Registration Appeals Committee

SCHEDULE 4B — Proceedings before the Investigating Committee, the Interim Orders Committee and Practice Committees: dental care professionals

- 1 Definitions
- 2 Rules relating to procedure
- 3 Evidence etc.
- 4 (1) For the purpose of proceedings under Part 3A of...
- 5 Where the proceedings relate to a person's conduct, and that...
- 6 Costs

Dentists Act 1984 (c. 24)

ix Document Generated: 2024-04-18

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

Reference of cases to the registrar or a different Committee

```
SCHEDULE 4C — Advisers
    Legal advisers
    Medical advisers
    Professional advisers
3
 SCHEDULE 5 — Consequential Amendments
    Consequential Amendments
                — MEDICINES ACT 1968 (C. 67)
    In section 132(1), in the definition of "dentist", for the...
                — MISUSE OF DRUGS ACT 1971 (C. 38)
    In section 37(1), in the definition of "dentist", for the...

    POISONS ACT 1972 (C. 66)

    In section 11(2), in the definition of "dentist", for the...
                — HEALTH AND PERSONAL SOCIAL SERVICES (NORTHERN
                    IRELAND) ORDER 1972 (S.I.1972/1265 (N.I.14))
    In Article 2(2), in the definition of "dental practitioner", for...
                — FAIR TRADING ACT 1973 (C. 41)
    In paragraph 3 of Schedule 4, for "1957" substitute "1984"....
                — RESTRICTIVE TRADE PRACTICES ACT 1976 (C. 34)
    In paragraph 3 of Schedule 1, for "1957" substitute "...
                — NATIONAL HEALTH SERVICE ACT 1977 (C. 49)
    In section 35(3) (added by section 15 of the Health...
8
9
10
11
    Consequential Amendments

    NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978 (C. 29)

12
    In section 25(4) (added by section 16 of the Health...
13
    In section 108(1), in the definition of "dental practitioner", for...
14
    In paragraph 6A of Schedule 1 (inserted by the said...
                — MEDICAL ACT 1983 (C. 54)
15
    In paragraph 4 of Schedule 6, for "Articles 2(d) and"...
                — VALUE ADDED TAX ACT 1983 (C. 55)
    Consequential Amendments
16
 SCHEDULE 6 — Repeals and Revocations
          Part I
         Part II
 SCHEDULE 7 — Transitional Provisions and Savings
```

General

Where a period of time specified in an enactment repealed...

Elections and nominations

Any election or nomination held or made before the commencement...

Registration

(1) Nothing in the repeals made by this Act shall...

Changes to legislation: Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

Adaptation of references in enactments etc.

4 (1) In any enactment or instrument passed or made before...

Proceedings pending before Disciplinary Committee

- 5 For the purpose of the hearing and determination of any...
- 6 For the purposes of— (a) any case referred to the...

Rules of procedure

7 Any rules made by the Council before the commencement of...

Restrictions on carrying on the business of dentistry

- 8 Except in the case of a body corporate which—
- 9 (1) Any reference in section 41(2) or 44 of this...

Documents issued by Dental Board

10 The reference in section 52(2) of this Act to any...

Changes to legislation:

Dentists Act 1984 is up to date with all changes known to be in force on or before 18 April 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.

View outstanding changes

Changes and effects yet to be applied to:

- s. 27(2)(f) word omitted by S.I. 2009/1182 Sch. 1 para. 7 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 27(2)(g) words inserted by 2008 c. 14 Sch. 10 para. 7
- s. 27A(4)(a)(i) words inserted by S.I. 2015/806 art. 18(2)
- s. 36N(2)(f) word omitted by S.I. 2009/1182 Sch. 1 para. 8 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 36N(2)(g) words inserted by 2008 c. 14 Sch. 10 para. 9
- s. 36O(4)(a)(i) words inserted by S.I. 2015/806 art. 25(2)
- s. 40(2)(aa) words substituted by 2022 c. 31 Sch. 3 para. 42
- s. 41(2A) words substituted by S.I. 2009/1182 Sch. 1 para. 9 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 50D(1) words inserted by S.I. 2015/806 art. 27
- s. 53(3)(a)(i) words substituted by 2022 c. 31 Sch. 3 para. 43
- Sch. 5 para. 12 repealed by 2005 asp 13 sch. 3

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Blanket amendment words substituted by S.I. 2011/1043 art. 34

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(2)(h)(i) inserted by S.I. 2009/1182 Sch. 1 para. 7 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 27(2)(ba) inserted by S.I. 2015/806 art. 17
- s. 27A(5)(aa) inserted by S.I. 2015/806 art. 18(3)
- s. 27BA inserted by S.I. 2015/806 art. 19
- s. 36N(2)(h)(i) inserted by S.I. 2009/1182 Sch. 1 para. 8 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 36N(2)(ba) inserted by S.I. 2015/806 art. 24
- s. 36O(5)(aa) inserted by S.I. 2015/806 art. 25(3)
- s. 36PA inserted by S.I. 2015/806 art. 26