



Dentists Act 1984

1984 CHAPTER 24

PART III

THE DENTAL PROFESSION

Effect of disqualification in another member State

35 Effect on registration of disqualification in another member State

- (1) A person who is subject to a disqualifying decision in a member State in which he is or has been established in dental practice shall not be entitled to be registered under section 15(1)(b) above.
- (2) A disqualifying decision in a member State in respect of a person is a decision made by responsible authorities in that State and—
 - (a) expressed to be made on the grounds that he has committed a criminal offence or has misconducted himself in a professional respect, and
 - (b) having in that State the effect either that he is no longer registered or otherwise officially recognised as a dental practitioner, or that he is prohibited from practising there.
- (3) If a person is registered under section 15(1)(b) above when he is subject to a disqualifying decision the registrar, on being satisfied that the person was at that time and still is subject to the decision, shall remove his name from the register.
- (4) If, by reason of his being subject to a disqualifying decision, a person is refused registration or has his name erased from the register by the registrar under the foregoing provisions of this section then—
 - (a) the registrar shall, on request, state in writing the grounds for the refusal or erasure;
 - (b) the person may appeal by giving notice in writing to the Council; and
 - (c) any such appeal shall be referred to and determined by the Professional Conduct Committee who shall direct the registrar whether the person is or is

Status: This is the original version (as it was originally enacted).

not entitled to be registered or should or should not have his name erased from the register, as the case may be ;

and paragraphs 2 and 5 of Schedule 3 to this Act shall apply to appeals under this section as they apply in relation to proceedings of the Professional Conduct Committee under section 27 above, except that the Council shall have power to make rules with respect to all or any of the matters mentioned in paragraph 2(2) but shall not be required to do so and separate rules may be made by virtue of this subsection as respects proceedings under it.

- (5) If a person who has been registered under section 15(1)(b) above becomes subject to a disqualifying decision his case shall stand referred to the Professional Conduct Committee as the case of a person alleged to have been convicted as mentioned in subsection (1) of section 27 above or to have been guilty of any such misconduct as is there mentioned; and the Committee, on

being satisfied that he is subject to the disqualifying decision, may exercise their powers under that subsection on the assumption that the criminal offence or professional misconduct on the grounds of which the disqualifying decision was made constitutes such conduct as, under paragraph (a) or (b) of that subsection, justifies the exercise of their powers under that subsection.