
STATUTORY INSTRUMENTS

1996 No. 1496

The Dental Qualifications (Recognition) Regulations 1996

Appropriate European Diplomas

3.—(1) Part I (appropriate European diplomas) of Schedule 2 to the Act (European dental qualifications) is amended as follows.

(2) For paragraph 1 there is substituted the following paragraph—

“1.—(1) In this Part of this Schedule—

“Community Council Directive No.78/686/EEC” means Community Council Directive No. 78/686/EEC(1) concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners in dentistry, as adapted, amended or extended by the Accession of Greece Act, Council Directive No. 81/1057/EEC(2), the Accession of Spain and Portugal Act, Council Directives Nos.89/594/EEC(3) and 90/658/EEC(4), the EEA Agreement and the Accession of Austria, Finland and Sweden Act;

“competent authority” means an authority or body designated by an EEA State in accordance with Community Council Directive No. 78/686/EEC;

“the Dental Training Directive” means Community Council Directive No. 78/687/EEC(5) concerning the co-ordination of provisions in respect of activities of dental practitioners as amended by the Accession of Austria, Finland and Sweden Act;

“the implementation date” means—

- (a) in the case of Greece, 1st January 1981;
- (b) in the case of Portugal, 1st January 1986;
- (c) in the case of Finland, Iceland, Norway and Sweden, 1st January 1994;
- (d) in the case of Liechtenstein, 1st May 1995; and
- (e) in the case of any other EEA State, the date notified by the State to the Commission as that on which it implemented the Dental Training Directive;

“scheduled European diploma” means a diploma specified in Part II of this Schedule.

(2) For the purposes of this paragraph—

“the Accession of Greece Act” means the Act annexed to the Treaty relating to the accession of the Hellenic Republic to the European Community signed at Athens on 28th May 1979(6);

(1) O.J. No. L233, 24.8.78, p.1.
(2) O.J. No. L385, 31.12.81, p.25.
(3) O.J. No. L341, 23.11.89, p.19.
(4) O.J. No. L353, 17.12.90, p.73.
(5) O.J. No. L233, 24.8.78, p.10.
(6) O.J. No. L291, 19.11.79, p.91.

“the Accession of Spain and Portugal Act” means the Act annexed to the Treaty relating to the accession of the Kingdom of Spain and the Portuguese Republic to the European Community signed at Madrid and Lisbon on 12th June 1985(7);

“the Accession of Austria, Finland and Sweden Act” means the Act annexed to the Treaty relating to the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, signed at Corfu on 24th June 1994(8), as adjusted by the Decision of the Council of the European Union of 1st January 1995 adjusting the instruments concerning the accession of new member States to the European Union(9).”.

(3) For paragraph 2 there is substituted the following paragraph—

“2. Subject to paragraphs 3, 3A and 4 below, any diploma in dentistry granted in an EEA State is an appropriate European diploma for the purposes of section 15(1)(b) of this Act.”.

(4) In paragraph 3, for the words “a member State” and “any member State” there are substituted the words “an EEA State” and “any EEA State” respectively.

(5) After that paragraph there is inserted the following paragraph—

“3A. A diploma granted in an EEA State on or after the implementation date which is not evidence of training commenced by the holder before that date (not being a scheduled European diploma) is not an appropriate European diploma for the said purposes unless the holder produces to the registrar a certificate issued by the competent authority of the EEA State certifying that the diploma—

(a) was awarded following training which satisfies the requirements laid down by the Dental Training Directive; and

(b) is treated by that EEA State as if it were a scheduled European diploma.”.

(6) In paragraph 4—

(a) for the words “a Member State” there are substituted the words “an EEA State”; and

(b) after the words “paragraph 3(b)” there are inserted the words “or 3A”.

(7) For paragraphs 5 and 6 there is substituted—

“5.—(1) Subject to paragraph 6 below, on or after the date notified to the Commission by Italy, Spain or Austria as that on which that State implemented Community Council Directive No. 78/686/EEC, a diploma in medicine awarded in the State to a person who began medical training at a university before the relevant date is an appropriate European diploma for the purposes of section 15(1)(b) of this Act where that person produces to the registrar a certificate issued by the competent authority of the State certifying that—

(a) he has effectively, lawfully and principally practised dentistry in the State for at least three consecutive years during the five years preceding the date of issue of the certificate; and

(b) he is authorised to practise dentistry under the same conditions as holders of the State’s scheduled European diploma.

(2) In this paragraph “the relevant date” means—

(a) 28th January 1980 in relation to Italy;

(b) 1st January 1986 in relation to Spain; and

(c) 1st January 1994 in relation to Austria.

(7) O.J. No. L302, 15.11.85, p.160.

(8) O.J. C241, 29.8.94, p.21. Norway did not ratify the Treaty.

(9) O.J. No. L1, 1.1.95, p.1. See the Annex-Annex I (XI)(D)(III)(3).

6. A person shall be excepted from satisfying the requirement referred to in paragraph 5(1)(a) above if he satisfies the registrar that he has successfully completed three years of study which are certified by the competent authority of the State concerned as being equivalent to the training referred to in Article 1 of the Dental Training Directive.

7. A diploma in dentistry which is evidence of training commenced before 3rd October 1990 and undertaken on the territory of the former German Democratic Republic is an appropriate European diploma for the purposes of section 15(1)(b) of this Act if—

- (a) the holder produces to the registrar a certificate of the competent authority of Germany certifying that he has effectively and lawfully practised dentistry in Germany for at least three consecutive years during the five years preceding the date of issue of the certificate; and
- (b) he is authorised to practise dentistry throughout the territory of Germany under the same conditions as holders of the German scheduled European diploma.”.